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SESSIONAL PAPERS

VOLUME 13

FIRST SESSION OF THE TENTH PARLIAMENT

OF THE

DOMINION OF CANADA

SESSION 1905

VOLUME XXXIX

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1. Report of the Auditor General, for the fiscal year ended 30th June, 1904. Partial report presented 23rd January and 30th January, 1905, by Sir Wilfrid Laurier; also on 20th February, by Hon. S. A. Fisher..... *Printed for both distribution and sessional papers.*

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2. Public Accounts of Canada, for the fiscal year ended 30th June, 1904. Presented 16th January, 1905, by Hon. W. Paterson..... *Printed for both distribution and sessional papers.*

3. Estimates of the sums required for the services of Canada, for the year ended 30th June, 1906. Presented 18th January 1905, by Sir Wilfrid Laurier.. *Printed for both distribution and sessional papers.*

4. Supplementary Estimates for the year ending 30th June, 1905. Presented 17th May, 1905, by Hon. W. S. Fielding..... *Printed for both distribution and sessional papers.*

4a. Further Supplementary Estimates for the year ending 30th June, 1905. Presented 4th July, 1905, by Hon. W. S. Fielding..... *Printed for both distribution and sessional papers.*

5. Supplementary Estimates for the year ending 30th June, 1906. Presented 4th July, 1905, by Hon. W. S. Fielding..... *Printed for both distribution and sessional papers.*

5a. Further Supplementary Estimates for the year ending 30th June, 1906. Presented 12th July, 1905, by Hon. W. S. Fielding..... *Printed for both distribution and sessional papers.*

6. List of Shareholders in the Chartered Banks of Canada, as on 31st December, 1904. Presented 12th April, 1905, by Hon. W. S. Fielding..... *Printed for both distribution and sessional papers.*

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7. Report of dividends remaining unpaid, unclaimed balances and unpaid drafts and bills of exchange in Chartered Banks of Canada, for five years and upwards, prior to December 31, 1904. Presented 9th June, 1905, by Hon. W. S. Fielding..... *Printed for both distribution and sessional papers.*

8. Report of the Superintendent of Insurance, for the year ended 31st December, 1904.
Printed for both distribution and sessional papers.

9. Abstract of Statements of Insurance Companies in Canada, for the year ended 31st December, 1904. Presented 17th April, 1905, by Hon. W. S. Fielding.
Printed for both distribution and sessional papers.

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10. Report of the Department of Trade and Commerce, for the fiscal year ended 30th June, 1904. Presented 31st January, 1905, by Hon. W. Paterson...*Printed for both distribution and sessional papers.*

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11. Tables of the Trade and Navigation of Canada, for the fiscal year ended 30th June, 1904. Presented 16th January, 1905, by Hon. W. Paterson.....*Printed for both distribution and sessional papers.*

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12. Inland Revenues of Canada. Excise, etc., for the fiscal year ended 30th June, 1904. Presented 16th January, 1905, by Hon. L. P. Brodeur.....*Printed for both distribution and sessional papers.*

13. Inspection of Weights, Measures, Gas and Electric Light, for the fiscal year ended 30th June, 1904. Presented 16th January, 1905, by Hon. L. P. Brodeur.

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14. Report on Adulteration of Food, for the fiscal year ended 30th June, 1904. Presented 7th April, 1905, by Hon. L. P. Brodeur..... *Printed for both distribution and sessional papers.*

15. Report of the Minister of Agriculture, for the year ended 31st October, 1904. Presented 31st January, 1905, by Hon. S. A. Fisher.....*Printed for both distribution and sessional papers.*

16. Report of the Director and Officers of the Experimental Farms, for the year 1904. Presented 11th May, 1905, by Hon. S. A. Fisher.....*Printed for both distribution and sessional papers.*

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17. Criminal Statistics for the year ended 30th September, 1904.

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18. Report on Canadian Archives, 1904. Presented 31st May, 1905, by Hon. S. A. Fisher.

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19. Report of the Minister of Public Works, for the fiscal year ended 30th June, 1904. Presented 9th February, 1905, by Hon. C. S. Hyman..... *Printed for both distribution and sessional papers.*

20. Annual Report of the Department of Railways and Canals, for the fiscal year ended 30th June, 1904. Presented 13th February, 1905, by Hon. H. R. Emmerson.

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21. Report of the Department of Marine and Fisheries (Marine), for the fiscal year ended 30th June, 1904. Presented 23rd January, 1905, by Sir Wilfrid Laurier.

Printed for both distribution and sessional papers.

21*a*. Fifth Annual Report of the Geographic Board of Canada, containing all decisions to 30th June, 1904, Presented 7th February, 1905, by Sir Wilfrid Laurier.

Printed for both distribution and sessional papers.

21*b*. List of Shipping issued by the Department of Marine and Fisheries, being a list of vessels on the registry books of Canada, on the 31st December, 1904. Presented 5th June, 1905, by Hon. J. R. F. Préfontaine..... *Printed for both distribution and sessional papers.*

22. Report of the Department of Marine and Fisheries (Fisheries), for the fiscal year ended 30th June, 1904. Presented 16th March, 1905, by Hon. J. R. F. Préfontaine.

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23. Report of the Harbour Commissioners, etc., 1904...*Printed for both distribution and sessional papers.*

24. Report of the Postmaster General, for the year ended 30th June, 1904. Presented 17th January, 1905, by Sir Wilfrid Laurier.....*Printed for both distribution and sessional papers.*

25. Annual Report of the Department of the Interior, for the fiscal year ended 30th June, 1904. Presented 2nd February, 1905, by Sir Wilfrid Laurier....*Printed for both distribution and sessional papers.*

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25*a*. Report of the Surveyor General of Dominion Lands for the year ending 30th June 1904.
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26. Summary Report of the Geological Survey Department for the calendar year 1904.
Printed for both distribution and sessional papers.

27. Annual Report of the Department of Indian Affairs, for the fiscal year ended 30th June 1904. Presented 23rd January, 1905, by Sir Wilfrid Laurier. *Printed for both distribution and sessional papers.*

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28. Report of the Royal North-West Mounted Police, 1904. Presented 21st March, 1905, by Sir Wilfrid Laurier. *Printed for both distribution and sessional papers.*

29. Report of the Secretary of State of Canada, for the year ended 31st December, 1904. Presented 4th May, 1905, by Sir Wilfrid Laurier. *Printed for both distribution and sessional papers.*

30. Civil Service List of Canada, 1904. Presented 16th January, 1905, by Sir Wilfrid Laurier.
Printed for both distribution and sessional papers.

31. Report of the Board of Civil Service Examiners, for the year ended 31st December, 1904. Presented 4th May, 1905, by Sir Wilfrid Laurier *Printed for both distribution and sessional papers.*

32. Annual Report of the Department of Public Printing and Stationery, for the year ended 30th June, 1904. Presented 19th April, 1905, by Sir Wilfrid Laurier.
Printed for both distribution and sessional papers.

33. Report of the Joint Librarians of Parliament for the year 1904. Presented 12th January, 1905, by the Hon. The Speaker. *Printed for sessional papers.*

34. Report of the Minister of Justice as to Penitentiaries of Canada, for the year ended 30th June, 1904. Presented 30th January, 1905, by Hon. C. Fitzpatrick.
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35. Report of the Department of Militia and Defence of Canada, for the year ended 31st December, 1904. Presented 14th April, 1905, by Sir Frederick Borden.
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36. Report of the Department of Labour, for the year ended 30th June, 1904 Presented 17th January, 1905, by Sir Wilfrid Laurier. *Printed for both distribution and sessional papers.*

36*a*. Report of the commissioner and other documents, in the matter of the royal commission to inquire into the alleged employment of aliens in connection with the surveys of the proposed Grand Trunk Pacific Railway. Presented 1st March, 1905, by Sir William Mulock.
Printed for both distribution and sessional papers.

36*b*. The royal commission appointed to inquire into the immigration of Italian labourers to Montreal, and the alleged fraudulent practices of employment agencies.—Report of the commissioner and evidence. Presented 19th May, 1905, by Sir William Mulock.
Printed for both distribution and sessional papers.

36*c*. Report of the commissioner on the investigation into the alleged employment of aliens by the Père Marquette Railroad Company. Presented 19th May, 1905, by Sir William Mulock.
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36*d*. Minutes of Evidence, Père Marquette Railroad. *Printed for both distribution and sessional papers.*

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37. Return of the Tenth General Election for the House of Commons of Canada, held on the 27th day of October, 1904, and the 3rd day of November, 1904, followed by a Return of the By elections held during the Ninth Parliament. Presented 23rd June, 1905, by Sir Wilfrid Laurier.
Printed for both distribution and sessional papers.

38. Return of over-rulings by the Treasury Board of the Auditor General's decisions between the sessions of 1904 and 1905. Presented 16th January, 1905, by Hon. W. Paterson. *Not printed.*

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39. Statement of superannuations and retiring allowances in the civil service during the year ended 31st December, 1904, showing name, rank, salary, service, allowance and cause of retirement of each person superannuated or retired, and also whether vacancy filled by promotion or by new appointment, and salary of any new appointee. Presented 16th January, 1905, by Hon. W. Paterson. *Not printed.*

40. Return showing the expenditure on account of unforeseen expenses from the 1st July, 1904, to the 11th January, 1905, in accordance with the Appropriation Act of 1904. Presented 16th January, 1905, by Hon. W. Paterson... ..... *Not printed.*

41. Ordinances of the Yukon Territory for the year 1904. Presented 17th January, 1905, by Sir Wilfrid Laurier..... *Not printed.*

42. Statement in pursuance of section 17 of the Civil Service Insurance Act, for the year ending 30th June, 1904. Presented 17th January, 1905, by Hon. W. Paterson..... *Not printed.*

43. The King's Regulations and Orders for the Militia of the Dominion of Canada. Presented 17th January, 1905, by Sir Wilfrid Laurier ..... *Not printed.*

44. Report of the Commissioner, Dominion Police Force, for the year 1904. Presented 17th January, 1905, by Hon. C. Fitzpatrick. ..... *Not printed.*

45. Detailed statement of all bonds and securities registered in the Department of the Secretary of State of Canada, since last Return, 23rd March, 1904, submitted to the Parliament of Canada under section 23, chapter 19 of the Revised Statutes of Canada. Presented 24th January, 1905, by Sir Wilfrid Laurier..... *Not printed.*

46. Statement of fishing bounty expenditure for the year 1903-04. Presented 24th January, 1905, by Sir Wilfrid Laurier..... *Not printed.*

47. Return to an address of the House of Commons, dated 9th May, 1904, showing all papers, letters, petitions and resolutions in reference to payments of claims for losses arising out of the rebellion of 1885, in the North-west Territories. Presented 25th January, 1905.—*Mr. Davis*..... *Not printed.*

48. Return of orders in council which have been published in the *Canada Gazette* and in the *British Columbia Gazette*, between 1st January and 31st December, 1904, in accordance with the provisions of subsection *(d)* of section 38 of the regulations for the survey, administration, disposal and management of Dominion lands within the 40-mile railway belt in the province of British Columbia. Presented 27th January, 1905, by Sir Wilfrid Laurier..... *Not printed.*

49. Return of orders in council which have been published in the *Canada Gazette* between 1st January and 17th December, 1904, in accordance with the provisions of clause 91 of the Dominion Lands Act, chapter 54 of the Revised Statutes of Canada, and its amendments. Presented 27th January, 1905, by Sir Wilfrid Laurier..... *Not printed.*

50. Papers in relation to the Arbitration: Intercolonial Railway *vs.* Grand Trunk Railway Company. Presented 31st January, 1905, by Hon. C. Fitzpatrick..... *Not printed.*

51. Return (in so far as the Department of the Interior is concerned) of copies of all orders in council, plans, papers and correspondence which are required to be presented to the House of Commons, under a resolution passed on 20th February, 1882, since the date of the last return under such resolution. Presented 31st January, 1905, by Sir Wilfrid Laurier ..... *Not printed.*

52. Return of all lands sold by the Canadian Pacific Railway Company, from the 1st October, 1903, to the 1st October, 1904. Presented 1st February, 1905, by Sir Wilfrid Laurier..... *Not printed.*

53. Return to an address of the House of Commons, dated 6th February, 1905, for copies of all correspondence between the goverment of Canada, or any member thereof, and the government of the North-west Territories, or any of its members, in reference to the granting of provincial autonomy to the said territories, since the date of the last prorogation of parliament. Presented 8th February, 1905.—*Mr. Monk*..... *Printed for sessional papers.*

54. Return to an address of the House of Commons, dated 6th February, 1905, for a copy of the letter of resignation of the Honourable A. G. Blair, as Chairman of the Board of Railway Commissioners, and of all correspondence in reference to the said resignation. Presented 9th February, 1905. —*Mr. Monk*..... *Not printed.*

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55. Return to an order of the House of Commons, dated 30th January, 1905, showing the value of vegetables imported from the United States, and entered at the ports of Montreal and Toronto, during the fiscal year ending the 30th of June, 1904; giving separately the values for the first and the last six months of said year. Also a statement showing the value of canned, preserved or dried vegetables entered at said ports for said fiscal year; and the amounts of duties collected at both ports in the above cases. Presented 9th February, 1905.—*Mr. Monk*.....*Not printed.*

56. Report of the Committee of the Honourable Privy Council of the 18th January, 1905, relative to the embargo on Canadian cattle. Presented 10th February, 1905, by Hon. S. A. Fisher.
Printed for sessional papers.

57. Return to an order of the House of Commons, dated 1st February, 1905, giving the names of all officials, clerks and employees on the pay-roll of the Board of Railway Commissioners for Canada, on the first of January, 1905, with the amount of salary in each case. Presented 13th February, 1905.—*Mr. Perley* .....*Printed for sessional papers.*

57*a* Report of the Board of Railway Commissioners for Canada: Part I. Report of proceedings of Board, February 1st to June 30th, 1905. Part II. Report of proceedings of Board, July 1st to December 31st, 1904. Presented 22nd May, 1905, by Hon. H. R. Emmerson.....*Not printed.*

58. Return to an order of the House of Commons, dated 26th January, 1905, for copies of the letters of Mr. Tiffen, general traffic manager, and J. E. Price, general superintendent, of the Intercolonial Railway, reporting Odbur White, station agent at Fredericton, N.B., as not qualified for his position; and of all other correspondence in the possession of the Government or the department of railways and canals, relating to the dismissal of said Odbur White. Presented 13th February, 1905.—*Mr. Crocket*.....*Not printed.*

58*a*. Return to an order of the House of Commons, dated 6th February, 1905, for copies of all correspondence, between the government or any minister, and any party or parties, concerning the dismissal of the postmaster at Shelburne, Ontario, on or about the 7th of March, 1903. Presented 28th February, 1905.—*Mr. Barr*.....*Not printed.*

58*b*. Return to an order of the House of Commons, dated 20th March, 1905, for copies of all correspondence had with the minister of railways and canals, or any officer in his department, in reference to the dismissal of James Ritchie, inspector of masonry on the Trent Valley Canal, Gamebridge, and the appointment of his successor. Presented 5th April, 1905.—*Mr. Foster*.....*Not printed.*

58*c*. Return to an order of the House of Commons, dated 20th February, 1905, for copies of all correspondence, papers, letters, recommendations, reports petitions, &c., in possession of the government or any member or official thereof, relating to the dismissal of Henry Curtis Lawson, as postmaster at Stanhope, Prince Edward Island, and the appointment of his successor. Presented 1st May, 1905. *Mr. Martin (Queen's)*.....*Not printed.*

58*d*. Return to an order of the House of Commons dated 20th February, 1905, for copies of correspondence between the government, or any minister, and any party or parties, concerning the dismissal of the postmaster at St. Claude, Manitoba, Mr. J. P. Benrier, on or about the 1st day of November, 1904. Presented 28th June, 1905.—*Mr. Staples*.....*Not printed.*

59. Return to an order of the House of Commons dated 8th February, 1905, for copies of all forms and instructions issued to the returning officers in the several provinces and territories for use in the recent general election for the house of commons. Presented 15th February, 1905.—*Mr. Barker.*
Not printed.

60. Return to an order of the House of Commons, dated 6th February, 1905, showing the amount of revenue collected, (1) by the department of inland revenue; (2) by the department of customs, during each of the past ten years; and also in the aggregate during the same period, at the following points in the North-west Territories, viz.: Edmonton, Strathcona, Red Deer, Calgary, Medicine Hat, Maple Creek, Lethbridge, Coutts, Cardston and Macleod Presented 15th February, 1905.—*Mr. Roche (Marquette)*.....*Not printed.*

61. Copy of the rules made by the supreme court of judicature of the province of Prince Edward Island, pursuant to section 533 of the Criminal Code, 1892. Presented 16th February, 1905, by the Hon. The Speaker .....*Not printed.*

62. Return to an order of the House of Commons, dated 13th February, 1905, showing the respective dates of appointments of the commissioners and working staff of the Grand Trunk Pacific Railway Commission; and the total amount expended thereon to December 31, 1904, under the heads, (*a*) salaries of commissioners; (*b*) salaries of staff; (*c*) expenses; (*d*) rental of quarters. Presented 17th February, 1905.—*Mr. Foster*.....*Printed for sessional papers.*

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62*a*. Return to an order of the House of Commons, dated 27th February, 1905, showing the total number of officers, civil engineers and other employees now engaged in the surveys of the Transcontinental Railway, and works connected therewith, under the Transcontinental Railway Construction Commission ; the name and place of residence of each of the above persons at the time of his appointment ; and the functions and salaries of each of the above. Presented 9th March, 1905.—*Mr. Gervais*.....*Printed for sessional papers.*

62*b*. Return to an order of the House of Commons, dated 6th March, 1905. for a statement showing : 1. The names of the civil engineers and others, who were employed by the railway commission to make a survey for a line of railway in the county of Joliette in Quebec province, during the months of October and November, 1904. 2. The salary paid to each of said engineers and assistants for the work already performed in the said county of Joliette. 3. The number of days during which each of said engineers and assistants was employed. 4. A copy of instructions given to said engineers ; also a copy of report with plan or other detailed information which said engineers have made. 5. A statement showing the expenses (other than salary or salaries) entailed for the completion of said work and survey thus made in the said county of Joliette. Presented 23rd March, 1905.—*Mr. Monk.*
Not printed.

62*c*. Interim report of the Commissioners of the Transcontinental Railway. Presented 22nd May, 1905, by Hon. H. R. Emmerson.....*Printed for both distribution and sessional papers.*

63. Return to an order of the House of Commons, dated 23rd January, 1905, for a statement showing the amount of money spent by the government, or any department thereof, in the parish of Chateau-Richer, county of Montmorency, for building wharfs, piers, docks, breakwaters, etc., or for removing boulders or rocks from the beach in front of said parish, or for any other public works, from the 1st of September, 1904, to the 15th of November of the same year. Presented 17th February, 1905.—*Mr. Morin*.....*Not printed.*

64. Copies of telegrams in connection with the late election in the Yukon Territory. Presented 17th February, 1905, by Sir Wilfrid Laurier.....*Not printed.*

65. Return to an order of the House of Commons, dated 1st February, 1905, for copies of all correspondence, telegrams, etc., which passed between the minister of marine and fisheries, or the deputy minister of marine and fisheries, or any other official of the said department, and Captain R. Salmon, former wreck commissioner, in the matter of the *Canada-Cape Breton* investigation and the resignation of Captain Salmon from his position as wreck commissioner. Presented 20th February, 1905.—*Mr. Ames*.....*Not printed.*

65*a*. Return to an order of the House of Commons, dated 6th March, 1905, of the "statement of the case" in the *Canada-Cape Breton* accident, as served by Captain Reid, of Montreal, upon witnesses whose certificates or license was liable to be dealt with in connection with investigation regarding said casualty. Presented 4th April, 1905.—*Mr. Ames*.....*Not printed.*

66. Return to an order of the House of Commons, dated 6th February, 1905, showing the total number of acres of public lands undisposed of in the several and respective provisional districts of the North-west Territories of Canada. Presented 22nd February, 1905.—*Mr. McCarthy (Calgary).*
Printed for sessional papers.

66*a*. Return to an address of the House of Commons, dated 25th January, 1905, for copies of all orders in council, reports of the minister, recommending and authorizing the sale of Government lands in the North-west Territories during the years 1903 and 1904. Also a return of the lands sold, if any ; the rates and terms at which they were sold, and the persons to whom they were sold. Presented 9th March, 1905.—*Mr. Foster*.....*Not printed.*

67. Return to an address of the House of Commons, dated 8th February, 1905, for copies of all circulars or instructions, regulations and rulings made by the customs department together with any orders in council, relating to section 19 and subsections thereto of the Act to amend the Customs Tariff, 1897, assented to August 10th, 1904, commonly known as the "dumping clauses." Presented 23rd February, 1905.—*Mr. Kemp*.....*Not printed.*

68. Return to an order of the House of Commons, dated 13th February, 1905, for copies of all correspondence had with the government or any member thereof, or any official under the government, relative to the appointment of returning officers for the county of Dorchester, Quebec, for the general election of 1904, and relative to the resignation of any one so appointed. Presented 23rd February, 1905.—*Mr. Morin*.....*Not printed.*

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69. Return of the names and salaries of all persons appointed to or promoted in the several departments of the civil service, during the calendar year 1904, Presented 23rd February, 1905, by Sir Wilfrid Laurier..... *Not printed.*

70. Return to an order of the House of Commons, dated 20th February 1905, showing the total amount expended in wages to men employed at the Sorel shipyard, from the 30th June, 1904, to the 1st February, 1905; indicating separately the amount so expended for each month. Also the total amount expended in purchases for the same shipyard during the same period. Presented 27th February, 1905.—*Mr. Monk*..... *Not printed.*

71. Return to an order of the House of Commons, dated 13th February, 1905, showing the names of all persons added to the pay-roll of the meteorological service, permanently or temporarily, since June 30, 1904, and the amount received by each to date. Presented 27th February, 1905.—*Mr. Monk.* *Not printed.*

72. Return to an order of the House of Commons, dated 13th February, 1905, for copies of all correspondence between the minister of marine and fisheries and the Submarine Signal Company, of Boston, U.S.A., including all contracts or agreements which may have been entered into between the aforesaid parties. Presented 27th February, 1905.—*Mr. Monk*..... *Not printed.*

73. Return to an order of the House of Commons, dated 6th February, 1905, showing a statement of the business done during each of the past ten years, and also in the aggregate during the same period, in connection with the transmission of mail matter; and with the issue and payment of money orders and postal notes at each post office in the provisional district of Alberta. Presented 28th February, 1905.—*Mr. Roche (Marquette).*..... *Not printed.*

74. Return to an order of the House of Commons, dated 9th February, 1905, showing the number of box and flat cars added to the equipment of the Intercolonial Railway for each year from 1900 to 1904, inclusive; the total number on January 1, 1900, and on January 1, 1904, respectively; and the number in use on roads off the Intercolonial Railway on January 1, 1900 and 1904 respectively. Presented 1st March, 1905.—*Mr. Foster*..... *Not printed.*

75. Return to an order of the House of Commons, dated 20th February, 1905, showing the number of railway and steamboat disasters in Canada in 1904. The number in which investigation for cause was made, such cause, and the cause given. The means, if any, employed by the proper authorities to prevent the recurrence of such accidents, wherever due to any preventable cause. The methods adopted in England where railway accidents are so rare, and any other information which may lead to the safeguarding of the lives and property of Canadians obliged to make use of these public facilities. Presented 1st March, 1905.—*Mr. Martin (Queen's).*..... *Not printed.*

76. Return to an order of the House of Commons, dated 30th January, 1905, for copies of all circulars or advices issued by the Intercolonial Railway governing the transport of hay, under the free transport order in council of 1904, and of all certificates signed by municipalities or individuals to whom hay was delivered thereunder. Presented 1st March, 1905.—*Mr. Foster*..... *Not printed.*

76*a*. Return to an address of the House of Commons, dated 25th January, 1905, for copies of all correspondence had with the government or any member thereof, or with any official of the Intercolonial Railway, in reference to the transport of hay during the year 1904, from points in Ontario and Quebec to points along the Intercolonial Railway, including the railway in Prince Edward Island, Also the report of the minister to council and the order in council, if any was passed, recommending or authorizing a rebate or reduction in the rates for carrying the same. And the names of the parties to whom rebates or reductions in the rate of freight upon hay were made, and the quantities shipped to each. Presented 31st March, 1905.—*Mr. Foster*..... *Printed for distribution.*

77. Partial return to an order of the House of Commons, dated 1st February, 1905, showing the names of all the commercial agents of Canada; where located; previous location, occupation and qualifications; amount of salary of each; other expenses connected with their positions; class of product they are chiefly interested in placing on the market; procedure in the different locations; results, specific and general. Presented 1st March, 1905.—*Mr. Martin (Queen's).*

Printed for sessional papers.

77*a*. Supplementary return to No. 77. Presented 28th April, 1905..... *Printed for sessional papers.*

78. Return to an address of the House of Commons, dated 20th February, 1905, for a copy of all correspondence relating to the order in council of 25th August, 1904, providing for the preparation of voters' lists in the unorganized territories of Ontario, together with a copy of such order in council, and

CONTENTS OF VOLUME 14—*Continued.*

all correspondence relating to the voters' lists prepared under or pursuant to such order in council; and especially all correspondence between any of the ministers or their deputies or officers in any of the departments, and the following persons, namely: His Honour Edward O'Connor, Junior Judge of Algoma, W. A. Quibell, Police Magistrate, Sault Ste. Marie, W. H. Carney, Sheriff of Algoma, J. J. Kehoe, Clerk of the Peace of Algoma, Jacob Stevenson, Sault Ste. Marie, and all other persons, relating to the preparation or revision of such voters' lists. Also for copies of all instructions sent, issued or delivered to any of the said persons, or to any other persons, relative to the preparation or revision of such voters' lists, or any of them. Presented 1st March, 1905.—*Mr. Boyce*

Not printed.

79. Return to an order of the House of Commons, dated 1st February, 1905, showing: 1. The amount of money paid by the Intercolonial and Prince Edward Island Railways, between June 30th, 1904, and January 1st, 1905, arising out of claims for damages and refunds of all kinds; also compensations for injuries. 2. The nature and amount in each case. 3. The name of the person or persons, firm or corporation to whom the same was paid. 4. The dates in each case on which the claims for damages, refunds or compensations for injuries were filed. 5. The dates of payment of each. Presented 3rd March, 1905.—*Mr. Kemp*..... .....*Not printed.*

80. Return to an order of the House of Commons, dated 6th February, 1905, showing the acreage in each township in the provisional district of Alberta, and in those parts of the provisional districts of Saskatchewan and Assiniboia lying west of range 13, west of the third meridian in the Dominion lands system of survey, that has been disposed of in each of the following ways: *(a)* acreage patented, either as homesteads or on sales; *(b)* acreage not patented, but held under homestead entry or by purchase; and *(c)* acreage patented or reserved for railway land grants. Also the number of homestead entries made to date in the following land agencies: Edmonton, Red Deer, Calgary, Lethbridge, and so much of Battleford and Regina as lies west of range 13, west of the third meridian. Presented 3rd March, 1905.—*Mr. Roche (Marquette)*..... .....*Not printed.*

81. Return to an order of the House of Commons, dated 2nd February, 1905, for copies of correspondence exchanged between parties in the town of Verdun, county of Jacques Cartier, and the Montreal Harbour Board, or the department of marine and fisheries, respecting protection against floods at Verdun, along the shore of the St. Lawrence River. Presented 3rd March, 1905.—*Mr. Monk.*

Not printed.

82. Return to an order of the House of Commons, dated 13th February, 1905, showing all contracts which have since July 1st, 1903, been made or renewed by the department of marine and fisheries, with any person or company, for the placing, maintenance or care of harbour buoys; giving in each case the name of the approved contractor, the annual amount of his contract, and time of its expiry; and further indicating in what instances public tenders were not called for, and in what instances the lowest tenders were not accepted. Presented 3rd March, 1905.—*Mr. Ames*.....*Not printed.*

83. Return to an order of the House of Commons, dated 8th February, 1905, for copies of all correspondence exchanged since the 1st of October last between *(a)* P. W. St. George, Government Superintendent Engineer, Montreal Harbour sheds, and the Honourable Minister of Marine and Fisheries, and between *(b)* the Honourable Minister or the Deputy Minister of Marine and Fisheries and the Harbour Commissioners of Montreal, regarding the plans, specifications or contracts for the new sheds in the port of Montreal. Presented 3rd March, 1905.—*Mr. Ames*... .... *Not printed.*

83*a*. Return to an address of the House of Commons, dated 25th January, 1905, for copies of all correspondence between the Board of Montreal Harbour Commissioners and the Department of Marine and Fisheries in regard to the erection of permanent sheds upon the wharfs in the harbour of Montreal and of the correspondence had between the Government and the Federation of Shippers; and engineers' reports in the possession of the government upon the same subject; also copies of correspondence between the Department of Marine and Fisheries and F. D. Monk, M.P., upon the same subject. Presented 7th March, 1905.—*Mr. Monk*..... ... ...*Not printed.*

84. Statement of the affairs of the British Canadian Loan and Investment Company, for the year ended 31st December, 1904. Presented (Senate) 14th February, 1905, by the Hon. The Speaker.*Not printed.*

85. Return to an address of the Senate, dated 5th August, 1904, showing the names of all liquid mixtures known as patent or proprietary medicines purporting to remove the most varied forms of disease occurring in the human body, and when weakened by such disease or by any indulgence, habit or accident, to restore it to its former strength and vigour. Showing also the amount of money, if any,

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paid by importer, maker, mixer or vendor, to the government as special tax or license, and to whom paid. Showing likewise if the government has any knowledge of the ingredients which are employed to make these compounds: 1. Has such knowledge been acquired from the statements of the parties who have the formula? 2. Has it been acquired by qualitative and quantitative analysis of the Dominion analyst, or by any other practical chemist, if so, what quantities are contained in a determinate, say, one fluid ounce, of the following named ingredients: 1. Water, quantity in a determinate measure, say, one fluid ounce, of the preparations examined. 2. Alcohol in any form other than absolute; methylated or proof spirit or any other form; essences, ethers or any other solvent; colouring or flavouring substances, and, lastly, the solid ingredients in said preparations, the quantity and names of each. Presented 28th February, 1905.—*Hon. Mr. Sullivan.*

Printed for sessional papers.

86. Return to an address of the Senate, dated 14th February, 1905, showing: Imports of aluminum in pigs or ingots into Canada. Imports of aluminum into wire, sheets or any other form. Imports of oxide of aluminum. Imports of alumina. Quantities by weight-values. Countries imported from, and ports of entry in Canada, and what countries the production of. Exports of aluminum in pigs or ingots. Exports of aluminum in any form, manufactured. What countries exported to, and ports of shipment in Canada. Quantities by weight-values. For the year 1904. Presented 28th February, 1905.—*Hon. Mr. Domville*.....*Not printed.*

87. Return to an order of the House of Commons, dated 9th February, 1905, showing the number of inspectors or other persons employed to attend to the enforcement of the Fruit Marks Act of 1901. The names of the said inspectors or other persons, and the salaries paid to each, respectively. The total amount paid to said persons on account of salaries up to the 1st of January, 1905. Also the amount paid to said persons for travelling and other expenses up to 1st January, 1905. Presented 9th March, 1905.—*Mr. Taylor*.....*Not printed.*

88. Return to an address of the House of Commons, dated 20th February, 1905, for copies of all correspondence addressed to the government, or any minister, in reference to the cables of the Empire. Presented 9th March, 1905.—*Mr. Logan*.....*Not printed.*

89. Return to an order of the House of Commons, dated 13th February, 1905, for copies of all correspondence in reference to the building of a new boat to be employed to maintain winter communication between Prince Edward Island and the mainland of Canada. The engineer's and inspector's report of the present condition of the ss. *Stanley* now on that route; the repairs made; the damage sustained by contact with heavy ice; and any other information in regard to her age, class, etc., in any of the government departments. Presented 10th March, 1905.—*Mr. Martin (Queen's).*

Not printed.

90. Return to an order of the House of Commons, dated 20th February, 1905, for a statement showing the amount and nature of each and every claim that has been made by the firm of P. Lyall & Sons for extras in connection with their contract for the erection of steel sheds in the port of Montreal; and further indicating in each instance whether the claim has been admitted and approved by the Harbour Commissioners or their chief engineer; whether it has been recommended for payment by the government superintending engineer; and in case of dispute between the engineers, what decision the minister of marine and fisheries has given in each case; and the amount paid or agreed to be paid to the contractor in connection with each claim. Presented 10th March, 1905.—*Mr. Ames.*

Not printed.

90*a*. Return to an order of the House of Commons, dated 27th March, 1905, for copies of all correspondence between the Minister of Marine and Fisheries, or any officer of his department, and Mr. George S. Greene, junior, of New York, regarding the steel freight sheds of the harbour of Montreal; together with the report of the said George S. Greene, junior, upon the plans submitted to him for an opinion. Presented 12th April, 1905.—*Mr. Ames*.....*Not printed.*

91. Return to an order of the House of Commons, dated 1st February, 1905, showing: 1. The present indebtedness to the Dominion Government of the Montreal Turnpike Trust, (*a*) on capital account (*b*) for arrears of interest. 2. The amounts collected at each toll gate belonging to the said turnpike trust during the year ending 31st December, 1904. 3. The names of all parties who have commuted their tolls, and the amount of commutation paid in each case. 4. The amounts expended on each section or road division under the control of said trust, during the said year ending 31st December, 1904; and the contracts given out during the year, with the name of the contractor and the date

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and amount involved in each case. 5. The amounts paid out during the said year at each toll gate for salaries of day and night keepers, and other expenditure at each of the toll gates maintained. 6. The names of all parties holding passes for free use of the roads under the control of said trust during the said year. 7. The expenses of the said trust during the said year, for rent, salaries of the office, giving name and remuneration of each official. 8. The actual indebtedness in detail of the said trust outside of its bonds due to the government of Canada. 9. The amounts collected year by year since 1896 from municipalities under special agreements made as their share *pro rata* of the bonded indebtedness of the turnpike trust. Presented 15th March, 1905.—*Mr. Monk.*
Not printed.

92. Return to an order of the House of Commons, dated 6th February, 1905, for a statement showing the amounts expended from the 30th of June, 1902, up to the 1st of February, 1905, upon the two wharves and approaches at Ste. Genevieve and Isle Bizard, in the county of Jacques Cartier; also letters addressed to the minister of public works during the year 1904 in reference to the said expenditure, with estimates and statements connected therewith. Presented 16th March, 1905.—*Mr. Monk*.....*Not printed.*

93. Return to an order of the House of Commons, dated 27th February, 1905, for copies of all thermograph records of temperatures taken on board Atlantic steamships during the calendar year 1903, stating: (1) name of steamship; (2) date when thermograph was put in chamber; (3) date when the steamer left the port; (4) whether chamber was (*a*) cold storage; (*b*) cool air; (*c*) mechanically ventilated; (*d*) ordinary, or whether the record was taken on deck or other place where the natural temperature of the air would be registered, unexposed to the sun's rays; (5) where practicable, in what part of the chamber the thermograph was placed. Presented 17th March, 1905.—*Mr. Henderson*.....*Not printed.*

93*a*. Return to an order of the House of Commons, dated 20th March, 1905, of all the thermograph records used in the transportation of perishable products from Canada, in cold storage or ventilated storage, or cool air compartments. Also a copy of all contracts entered into between the government and any steamship company whereby the company receives a subsidy for installing cold storage or cool air ventilation or ventilated storage. Presented 17th May, 1905.—*Mr. Armstrong.*
Not printed.

93*b*. Supplementary return to 93*a*. Presented 6th June, 1905.....*Not printed.*

94. Return to an order of the House of Commons, dated 6th March, 1905, showing all leases of water power granted on the Welland Canal, not included in the return made to an order of the house dated 3rd April, 1901; the names of the lessees; the quantity of power granted in each lease; the consideration named in each lease, together with the length of the term granted, and the amount of rental reserved in such leases unpaid, if any. Presented 17th March, 1905.—*Mr. German.*
Printed for sessional papers.

95. Return to an order of the House of Commons, dated 13th February, 1905, showing what contracts for public works, or for supplies, have been awarded since July 1st, 1903, to other than the lowest tenderer, in the department of marine and fisheries, by the authority of the governor in council, in the manner set forth in clause 6 of the Act 55-56 Victoria, chapter 17. Also for the names and offers of all unsuccessful tenderers in every such case, and for the reasons why any such lowest tenderer was passed over. Presented 17th March, 1905.—*Mr. Lewis*.....*Not printed.*

96. Return to an address of the Senate, dated 1st March, 1905, for a copy of all correspondence between the government and the Ottawa corporation, relative to the formation of a federal district. Presented 17th March, 1905.—*Hon. Mr. Bernier*.....*Not printed.*

97. Statement showing areas of the provisional districts of the North-west Territories. Presented 20th March, 1905, by Hon. W. S. Fielding.....*Printed for both distribution and sessional papers.*

98. School ordinance, North-west Territories, being chapters 29, 30 and 31, passed 1901. Presented 20th March, 1905, by Hon. W. S. Fielding.....*Not printed.*

99. Summary of legislation relating to subsidies to provinces. Presented 20th March, 1905, by Hon. W. S. Fielding.....*Not printed.*

CONTENTS OF VOLUME 14—*Continued.*

100. Return to an order of the House of Commons, dated 20th February, 1905, showing the number of witnesses who appeared before the agriculture committee, whose expenses were paid by the government, for each year from 1890 to 1904 inclusive; the amount paid to each such witness; the name of each; where each came from when their attendance was required; and at whose instance each such witness was brought. Presented 22nd March, 1905.—*Mr. Wilson (Lennox and Addington).*

Not printed.

101. Return to an order of the House of Commons, dated 9th February, 1905, for copies of all correspondence had between the government, or any department or member thereof, and the Alexander Gibson Railway and Manufacturing Company, or any other corporation or corporations, or person or persons, not included in the return brought down on the twenty-ninth day of July, 1904, in reference to the purchase and taking over by the government of the Canada Eastern Railway; and of all other papers in the possession of the government, or any department thereof, not included in the said return of July, 1904, in reference to the purchase and taking over of the said railway, and the cost thereof. And also showing (1) the number of officials and employees in the service of the said railway at the time of its transfer to the government, with their names and their respective salaries or wages; (2) the number of officials and employees now in the service of the said railway, with their names and their respective salaries or wages; (3) the cost of the operation of the said railway from the date of its transfer to the government until the first day of February, 1905, and the gross earnings of the said railway during the same period. Presented 23rd March, 1905.—*Mr. Crocket.*

Not printed.

102. Return to an order of the House of Commons, dated 6th March, 1905, for copies of all petitions, memorials, and resolutions from the legislative assembly of Manitoba, the executive of that province, and any correspondence relative to the extension of the boundaries of Manitoba to the west or north. Presented 3rd April, 1905.—*Mr. Roche (Marquette).*

Printed for both distribution and sessional papers.

102*a*. Supplementary return to No. 102. Presented 5th April, 1905.

Printed for both distribution and sessional papers.

103. Return to an order of the House of Commons, dated 26th January, 1905, of copies of all correspondence had with the government or any member or official thereof, in reference to the building and location of a railway station in Charlottetown, Prince Edward Island; also report or reports or memorandum of any minister or official of the government, with reference to delegations from the province of Prince Edward Island, asking for the construction of such work. Presented 22nd May, 1905—*Mr. Martin (Queen's).* ..... *Not printed.*

104. Return to an order of the House of Commons, dated 20th February, 1905, for copies of all correspondence and documents relating to an application to the Board of Railway Commissioners, and relating to an application lately before the said board, by the towns of Port Arthur and Fort William, to obtain access for their municipal telephone system into the offices of the stations of the Canadian Pacific Railway in the two towns. And for copies of all correspondence between the said towns of Port Arthur and Fort William, and the officers thereof, with the government, with reference to such application, or prior or subsequent thereto. Also copies of any report or recommendation, decision or order made by the railway commissioners with reference to such application or applications, or incident thereto. Presented 5th April, 1905.—*Mr. Bovee*..... *Not printed.*

105. Return to an order of the House of Commons, dated 27th February, 1905, for a copy of the report of Mr. Matheson relating to the alleged fraud in payment of fishing bounties. Presented 5th April, 1905—*Mr. Ganong*.... ..... *Not printed.*

106. Return to an order of the House of Commons, dated 27th February, 1905, showing the business done in the exchequer court of Canada, under its admiralty jurisdiction, since the Admiralty Act of 1891 came into force; giving by districts, (1) the number of actions instituted; (2-*a*) the number of interlocutory applications, and (*b*) trials; (3) the amount involved. Presented 6th April, 1905.—*Mr. Clarke (Essex).*..... ..... *Printed for sessional papers.*

107. Return to an order of the House of Commons, dated 13th March, 1905, for copies of all correspondence between the Department of Interior and Robert Buchanan, Peter Veregin, Simeon Rieben, and the Dominion Lands Office at Yorkton, or others, relative to the claim of Ivan Shukin to the patent for the northwest quarter section 23, township 31, R. 6, to 2nd M.; and to any cancellation proceedings in connection with the said land. Presented 7th April, 1905.—*Mr. Lake*..... *Not printed.*

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108. Return to an order of the House of Commons, dated 6th March, 1905, showing the number and location, cost and earnings, of the cold storage establishments called "Bait Freezers," of Maritime Canada; together with the returns, duly certified, of all such institutions, since 1900; the names and the salaries of all superintendents, officials and keepers of same; and the amounts in pounds of the different kinds of fish therein stored; the amount of bait from them used by *bona fide* fishermen, and the names of the same; together with all such information as may permit of the thorough examination of the question of government assisted refrigerators. Presented 11th April, 1905.—*Mr. Martin (Queen's)*..... .... *Not printed.*

109. Return to an address of the Commons, dated 20th February, 1905, for copies of all correspondence, telegrams, reports, writings, documents, memorials, orders in council, memoranda, or written or printed information of any kind not already down, which passed between the government of Canada, or of any minister or official thereof, and the government of Prince Edward Island, or of any member or official thereof, in any wise relating to the claim of the province of Prince Edward Island to a share of the Halifax fishery award. Presented 12th April, 1905.—*Mr. McLean (Queen's).*
Not printed.

109*a*. Supplementary return to No. 109. Presented 10th May, 1905. ....*Not printed.*

110. Return to an order of the House of Commons, dated 20th February, 1905, for copies of all correspondence between the Department of Marine and Fisheries and Mr. A. E. Dyment, M.P.; and also between the Department of Marine and Fisheries and the late Commissioner of Fisheries for Ontario, the Honourable Mr. Latchford, during the past four years, regarding the granting of pound net licenses east of Little Current, Manitoulin Island, to Mr. T. H. Jackman, of Killarney, Ontario. Presented 12th April, 1905.—*Mr. Crocket*..... .....*Not printed.*

111. Return to an order of the House of Commons, dated 13th February, 1905, for a statement showing the amount of money expended by the Dominion government since the first day of July, 1873, for constructing, equipping, and subsidizing railways and canals, separately, in Canada; adding thereto the value of land given as subsidies, on the basis of one dollar value per acre; and adding further thereto the total estimated liability incurred by Canada on account of the building of the Grand Trunk Pacific Railway. Also a statement showing separately the part of such expenditure made or to be made as above, on railways and canals separately in each province of Canada, and the North-west Territories, deducting any sums that may have been charged any of the provinces or the North-west Territories in their debt account with the Dominion of Canada. Presented 12th April, 1905.—*Mr. Martin (Queen's)*..... ....*Printed for sessional papers.*

112. Return to an order of the House of Commons, dated 6th February, 1905, for a return of all lists of voters, as prepared by the enumerators, for the several polling subdivisions of the respective electoral districts in the North-west Territories, and used in the recent general election for the house of commons. Presented 17th April, 1905.—*Mr. McCarthy (Calgary)*..... .....*Not printed.*

112*a*. Return to an order of the House of Commons, dated 8th February, 1905, for a copy of the voters' lists for the constituency of Macdonald, Manitoba, supplied to the clerk of the crown in chancery prior to the general elections of 1904. Also for copies of the voters' lists supplied by the clerk of the crown in chancery to the returning officer for Macdonald constituency for the same elections. And for copies of voters' lists supplied to the various deputy returning officers by the returning officer in the constituency of Macdonald. Presented 27th April, 1905.—*Mr. Staples*.....*Not printed.*

112*b*. Return to an order of the House of Commons, dated 19th January, 1905, for a copy of the original list of the electors of Marquette supplied the clerk of the crown in chancery; also a copy of the list as sent to the returning officer; and for copies of the lists supplied by the returning officer to the various deputy returning officers. Presented 27th April, 1905.—*Mr. Roche (Marquette).*
Not printed

113. Return to an order of the House of Commons, dated 20th February, 1905, showing the quantities of anthracite coal used in the several departments of the government of Canada, in the province of Quebec, New Brunswick, Nova Scotia and Prince Edward Island, in the years 1900, 1901, 1902, 1903 and 1904. Also of the total expenditure per year for said coal for each of the said provinces during said years; and separately, the names of the parties to whom paid, and the price per ton paid to each. Presented 17th April, 1905.—*Mr. McLean (Queen's)* . ...*Not printed.*

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114. Return to an order of the House of Commons, dated 27th March, 1905, showing the imports by provinces into Canada for home consumption from the United States; and the exports of the same from Canada to the United States; and the duty on the same, giving Canadian duty and the United States duty, for the years 1903 and 1904, on the following articles: pork, all kinds; apples, corn, beans—raw, canned and otherwise; tobacco, raw leaf; cattle, horses, wool, hides, sugar beets, hay, eggs, butter, fowls. Presented 25th April, 1905.—*Mr. Clements*.....*Not printed.*

115. Return to an order of the House of Commons, dated 6th March, 1905, showing in detail the various amounts expended during the past two years upon the wharf and abutments situated at Isle Bizard, in Jacques Cartier county, Quebec. Presented 27th April, 1905.—*Mr. Monk*.....*Not printed.*

116. Return to an order of the House of Commons, dated 20th March, 1905, for copies of all correspondence, telegrams, reports, estimates, and all other documents or information which passed between any minister or official of the government and engineers or others, with reference to the investigating or taking of soundings, or any other work for the purpose of ascertaining the best plan and place for the building of a pier or breakwater, in the vicinity of Carleton Point, or Cape Traverse, P.E.I., to establish and facilitate communication between Prince Edward Island and the mainland, winter and summer. Presented 27th April, 1905.—*Mr. Lefurgey*.....*Not printed.*

117. Return to an order of the House of Commons, dated 20th February, 1905, for copies of all reports made by Mr. Burley, or any other officer, in regard to reservations of water rights for stock purposes in the North-west Territories during the last five years. Presented 27th April, 1905.—*Mr. Roche (Marquette)*.....*Not printed.*

118. Return to an order of the House of Commons, dated, 27th February, 1905, for copies of all correspondence, letters, reports, petitions, memoranda, in possession of the government, or any member or official thereof, relating to the location and erection of a railway station at Grand View, on the Murray Harbour branch of the Prince Edward Island Railway. Presented 28th April, 1905.—*Mr. Martin (Queen's)*.....*Not printed.*

119. Return to an order of the House of Commons, dated 20th February, 1905, showing the sums of money spent by the Dominion government since 1896 upon each of the following: (*a*) Port Arthur harbour; (*b*) Fort William harbour; (*c*) Kaministiquia river; classified into (1) dredging; (2) breakwaters; (3) other purposes. The quantities of each of the following to be excavated during 1905-6 in each of the three locations above named: mud and sand, clay, hardpan, rock. The dates and terms of the contracts entered into with those engaged in dredging at the aforesaid points in 1903-04 and 1904-05. The said contracts. The horse-power, tonnage and dimensions of each of the dredges engaged in said work. The cost of dredges newly built, similar to those engaged at the above three points. Presented 28th April, 1905.—*Mr. Hughes (Victoria)*.....*Not printed.*

120. Return to an order of the House of Commons, dated 13th March, 1905, for each of the fiscal years from 1st July, 1897, to 30th June, 1904, of the expenditure on capital account upon the Drummond Counties Railway, and of the descriptions of work and materials for which such expenditure was made. Presented 9th May, 1905.—*Mr. Foster*.....*Not printed.*

121. Return to an order of the House of Commons, dated 20th February, 1905, showing in tabular form the amounts first voted for public buildings in towns in Canada of not more than 5,000 inhabitants; the year in which the first amount was in each case voted; the total amount expended to complete each building; the year in which it was completed; the revenue derived from post office, customs and inland revenue, separately, for the year in which the first vote was taken, and the rentals paid for the buildings in use for the above services during the same year, and the population of each town for that year; said return to cover the period from January, 1888, to February, 1905, inclusive. Presented 19th May, 1905.—*Mr. Foster*.....*Not printed.*

122. Return to an order of the House of Commons, dated 26th May, 1905, of copies of correspondence, etc., in relation to the Thessalon post office. Presented 26th May, 1905.—*Sir William Mulock.*
Not printed.

123. Return to an address of the House of Commons, dated 27th February, 1905, for copies of all petitions and correspondence between the boards of trade of Toronto and Montreal respectively, and the governor in council, in reference to the appointment of grain survey boards, under the authority of the Grain Inspection Act, at Toronto and at Montreal; and for copies of the orders in council whereby the aforesaid appointments were made. Presented 6th June, 1905.—*Mr. Ames.*
Not printed

CONTENTS OF VOLUME 14—*Continued.*

124. Return to an address of the House of Commons, dated 27th March, 1905, of the following documents in respect of payments made on account of the subsidy voted in 1901 for a line of railway between Caplin and Paspebiac: 1. Copy of authority to act, together with full instructions issued to Commissioner Mothersill. 2. Report and findings of Commissioner Mothersill. 3. Sworn evidence of claimants who appeared before Commissioner Mothersill, as taken down by Stenographer Roy. 4. Copy of authority to act, and full instructions to Commissioner Langelier. 5. Report and findings of Commissioner Langelier. 6. Sworn evidence, if any, of claimants appearing before Commissioner Langelier. 7. Affidavits presented to Commissioner Langelier and subsequently. 8. Copy of resolution or order in council adopting report of Commissioner Langelier. 9. A statement giving each of the several payments made by the government since July 1st, 1901, on account of the subsidy voted in 1901 for a line of railway between Caplin and Paspebiac; showing in respect of every such payment to whom, by whom, on what date, in connection with part of the road, the date of original filing of claim, and on whose recommendation each payment was made. 10. All correspondence which may have passed between the Department of Railways and Canals, or any person connected therewith, and Commissioner Langelier, in respect of the investigation and payment of said claims. Also all correspondence between the member for the county of Bonaventure and the department, and between said member and Commissioner Langelier on this subject, as well as by the trustees of the Atlantic and Lake Superior Railway, C. N. Armstrong, T. C. Casgrain, H. C. J. Gilendez or any other person on their behalf and the department. Presented 15th June, 1905.—*Mr. Ames*..... .....*Not printed.*

125. Return to an order of the House of Commons, dated 13th March, 1905, for copies of all correspondence, letters, petitions, etc., in possession of the government, or any member or official thereof, relating to land damages claimed by Thomas Curley, Charles Mitchell and others, of Village Green, Prince Edward Island, for lands expropriated for the Murray Harbour branch of the Prince Edward Island Railway. Presented 30th June, 1905.—*Mr. McLean (Queen's)*..... .....*Not printed.*

126. Return to an address of the House of Commons, dated 13th February, 1905, for copies of all correspondence and despatches between the government of Canada and the Imperial government, in regard to the establishment of a branch of the Royal Mint in Canada. Presented 4th July, 1905.—*Mr. Monk*..... .....*Not printed.*

127. Copy of the account of the counsel and the expert witness as certified to by the chairman of the select special committee appointed last session to investigate the position of the Mutual Reserve Fund Life Association of New York in Canada. Presented (Senate) 28th June, 1905, by Hon. R. W. Scott. *Not printed.*

127*a*. Letter from C. J. Coster to the Clerk of the Senate, acknowledging a receipt of a cheque for $500 on account of counsel fees in connection with the special committee on the Mutual Reserve Fund Life Association of New York, and also a letter from A. Power, acting Deputy Minister of Justice, referring to a number of accounts submitted to the Department of Justice for taxation in connection with the investigation of the said committee. Presented (Senate) 29th June, 1905, by Hon. R. W. Scott.....*Not printed.*

128. Return to an address of the House of Commons, dated 13th March, 1905, for copies of all correspondence, orders in council, agreements, reports, etc., in connection with the taking over by the Dominion government of the Halifax and Esquimalt defences. Presented 7th July, 1905.—*Mr. Foster*.....*Printed for both distribution and sessional papers.*

129. Return to an order of the House of Commons, dated 27th March, 1905, for copies of all correspondence, telegrams, papers, memoranda, etc., between the government and members of the Canadian militia, in regard to the granting of the King's South African medal to Canadians doing 18 months' South African war service Presented 10th July, 1905.—*Mr. Worthington*.....*Not printed.*

130. Return to an order of the House of Commons, dated 10th July, 1905, for a copy of the memorandum from the members of the Militia Council to the Minister of Militia and Defence; and also a copy of the memorandum of the Minister of Militia and Defence relating to the militia estimates. Presented 10th July, 1905.—*Sir Frederick Borden*..*Printed for both distribution and sessional papers.*

131. Return to an order of the House of Commons, dated 6th March, 1905, showing the names of residents in the North-west Territories, not entitled to a second homestead, for whom the sanction of the department has been given, allowing them to purchase additional quarter sections, subject to ordinary cultivation conditions; the dates upon which such sanctions were given; the lands which

CONTENTS OF VOLUME 14—*Continued.*

have been purchased by such settlers in consequence of this authority, with the price agreed upon, and the sum paid down; also the form in which the authority to make the sale was made known to the local agents of Dominion lands. Presented 10th July, 1905.—*Mr. Lake*.....*Not printed.*

132. Partial return to an order of the House of Commons, dated 13th March, 1905, showing: (1) the number of permanent appointments, male and female, respectively, made to the civil service (inside division) in Ottawa, since July 1st, 1896; (2) the present strength of the civil service in Ottawa (inside division) permanent staff, specifying whether male or female; (3) the number of temporary employees, male or female, on the pay-list for the inside division of the civil service at Ottawa for January, 1905; (4) the number of temporary employees, male and female, appointed since July 1st, 1896; (5) in addition to the permanent and temporary clerks at present employed in the public service in Ottawa, the number of artisans, labourers, or other workmen employed at Ottawa during the month of January, and showing to which department these men are attached. Presented 10th July, 1905.—*Mr. Sproule*.....*Not printed.*

133. Rules of the Supreme Court of Prince Edward Island in criminal cases Presented (Senate) 10th July, 1905, by The Speaker.....*Not printed.*

134. Return to an address of the House of Commons, dated 27th March, 1905, for copies of all correspondence, telegrams, letters, memoranda, orders in council, reports, etc., in possession of the government, or any member or official thereof, in connection with the granting of an additional subsidy to the province of Prince Edward Island, in 1901, of $30,000 a year, and the basis on which the said subsidy was agreed to be paid to the province. Presented 11th July, 1905.—*Mr. Martin*..*Not printed.*

135. Return to an address of the Senate, dated 6th July, 1905, showing: 1. The amount (acreage) of school lands sold in the North-west Territories since the union. 2. The amount of principal (if any), and also the amount of interest paid over to the Territorial government. 3. The amount (acreage) of lands sold, and the average price per acre in each year for which such lands were sold. 4. The amount at present standing to the credit of the school fund. 5. The amount owing on sales to be carried to the credit of said fund. Presented 12th July, 1905.—*Hon. Mr. Lougheed*....*Not printed.*

136. Return to an order of the House of Commons, dated 13th February, 1905, for copies of all correspondence, petitions, resolutions, reports, memoranda, in possession of the government, or any member thereof, relating to the survey and construction of branch railway lines in the province of Prince Edward Island. Also the number of surveys made in the province since 1900, the routes surveyed, and the cost of each. Presented 14th July, 1905.—*Mr. Martin (Queen's)*....*Not printed.*

137. Return to an order of the House of Commons, dated 14th July, 1905, for a copy of the details of the third item of Resolution 107 of the Supplementary Estimates, 1905-6: Construction of lighthouses and aids to navigation, including apparatus, $675,000. Department of Marine and Fisheries. Presented 14th July, 1905.—*Hon. J. R. F. Préfontaine*.....*Not printed.*

138. Return to an order of the House of Commons, dated 14th July, 1905, for a copy of the report of Superintendent J. D. Moodie, on service in Hudson Bay, per ss. *Neptune*, 1903-4. Presented 14th July, 1905.—*Hon. J. R. F. Préfontaine*.....*Printed in Sessional Paper No. 28.*

139. Extracts of reports of committees of the honourable the privy council, approved by his excellency on the 31st May, 1902, and 20th September, 1904, respectively, relative to the carrying out of a certain propaganda in certain European countries to promote emigration to Canada by the North Atlantic Trading Company of Amsterdam, Holland. Presented 19th July, 1905, by Hon. F. Oliver.
Not printed.

140. Report of W. M. Graham, inspector of Indian agencies in the Assiniboine agency, and also in the Moose Mountain agency. Presented 19th July, 1905, by Hon. F. Oliver.....*Not printed.*

141. Correspondence respecting the sale of certain disputed islands in the Georgian Bay, south of Moose Deer Point. Presented 19th July, 1905, by Hon. F. Oliver.....*Not printed.*

142. Copy of an indenture between His Majesty King Edward the Seventh and the Dominion Coal Company, Limited. Presented 19th July, 1905, by Hon. F. Oliver.....*Not printed.*

143. Return to an address of the Senate, dated 7th July, 1905, for a return of the number of closed grazing leases granted since 1897 by the government of the North-west Territories, together with the following information relating thereto: The number of acres in each lease, the date when, and time for which granted; the parties to whom granted, and by whom at present held; the rental per acre, and the township and range in which situate. Presented 14th July, 1905.—*Hon. Sir Mackenzie Bowell*.....*Not printed.*

CONTENTS OF VOLUME 14—*Concluded.*

144. Return to an address of the Senate, dated 6th April, 1905, for copies of all despatches, letters, telegrams and other correspondence and communications received by the department of public works, or any officer thereof, or by any department of the government, or by any officer thereof, from the Honourable Senator Philippe Auguste Choquette in any way relating to lot 4438-A of the official plan and book of reference of Montcalm Ward, of the city of Quebec, and to the purchase thereof by His Majesty King Edward VII, and of all despatches, letters, telegrams and other correspondence and communications sent by any and all such departments and officers to the Honourable Senator Choquette relating thereto; also copies of all plans, if any, filed for the purpose of expropriating said lot in the registration division wherein said lot is situate, and copies of any other expropriation proceedings authorized or required by law to be followed in connection with the expropriation of lands for public purposes and which in any way relate to the lot aforesaid; copies of all appointments of valuators regarding said lot; copies of all applications for the appointment of such valuators, and of all correspondence, letters and telegrams relating to such appointments; and copies of any valuations of said lot made by any valuators; copies of all orders in council relating to said transactions and to the purchase of said property; copies of all deeds, powers of attorney, reports and orders in council executed, made or passed relating to the purchase or acquisition of said lot by His Majesty King Edward VII. Presented 18th July, 1905.—*Hon. Mr. Landry*.....*Not printed.*

145. Return to an address of the Senate, dated 16th May, 1905, for copies of all correspondence between Henry F. Coombs, of St. John, N.B., and the department of agriculture of Canada, or any officer thereof, relating to articles forwarded by the said Henry F. Coombs to the Paris exhibition, in 1900, and his claim for expenses in connection therewith and for payment to him for articles damaged or not returned. Presented 19th July, 1905.—*Hon. Mr. Landry*.....*Not printed.*

146. Return to an address of the Senate, dated 14th June, 1904, for: 1. A statement showing, in so many distinct columns, the names and surnames, the age, rank, the domicile, the origin, of all the officers, sub-officers and men of the crew of the ship sent in 1903 to explore Hudson's Bay. 2. The name of the ship chartered for this expedition, its tonnage, the name of its owner, the price assigned for its service, the duration of this service. 3. The term of service of each of the men (officers, sub-officers, sailors, etc.) who composed the crew of this vessel. 4. All the correspondence relating to this expedition, including therein the instructions given. 5. A copy of each report made by the authorities on board from the commencement of this expedition. Presented 18th July, 1905.—*Hon. Mr. Landry*.....*Not printed.*

147. Orders in council passed since last session, submitted for the approval of parliament, in accordance with provisions of section 5 of chapter 34, of the Statutes of Canada, 1902. Presented 18th July, 1905, by Hon. F. Oliver.....*Not printed.*

DEPARTMENT

OF

MILITIA AND DEFENCE

FOR THE

DOMINION OF CANADA

REPORT

FOR THE YEAR ENDED DECEMBER 31

1904

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY S. E. DAWSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1905

[No. 35—1905.]

To His Excellency the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom and a Baronet; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, &c., &c., Governor General of Canada.

My Lord,—

I have the honour to submit to Your Excellency the Report of the Department of Militia and Defence of the Dominion of Canada, for the year ending December 31, 1904.

I have the honour to be,

My Lord,

Your Excellency's obedient servant,

F. W. BORDEN,
Minister of Militia and Defence.

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PART I.

REPORT

OF THE

DEPUTY MINISTER.

Department of Militia and Defence,
Ottawa, January 10, 1905.

The Honourable Sir F. W. Borden, K.C.M.G.,
Minister of Militia and Defence.

Sir,—I have the honour to submit the Annual Report of the Department of Militia and Defence for the year ending June 30, 1904.

Establishment of Printing, Stationery and Contingencies Division.

On the 1st July last a new division, designated the Printing, Stationery and Contingencies Division, was established, with a chief clerk in charge. It deals with all work pertaining to the printing of forms, their custody and distribution, other printing, the supply of stationery, advertising and all other contingencies matters. The establishment of the division will greatly improve the efficiency of the Department, and it will also effect a large saving to the public. Mr. E. E. Lemieux has been promoted chief clerk in charge of the division.

Retirement of Major Benoit.

On the 1st July also, Major Alphonse Benoit, Director of Contracts, was placed on the Superannuation List, after 31 years' faithful and efficient service. Major Benoit had reached the age when he became eligible for superannuation, and as his health was failing he felt that he could not longer, either in justice to himself or the position he occupied, continue in office. Mr. H. W. Brown succeeded him.

Account Branch.

The financial statement for the year 1903-04, showing a total expenditure of $3,552,898.80, is submitted. (Appendix A).

A statement of expenditure for the ten years ending 1902-03, showing the amounts expended each year under the various heads of service is submitted. (Appendix B).

Excluding the expenditure in connection with the South African war, shown under the head of Special Service in the latter statement, it will be observed that the expenditure for 1903-4 was considerably larger than that of any of the previous years. This was due to—(a) the increase in the strength of the Active Militia, thereby increasing the cost of annual drill and requiring larger outlays for clothing, equipment, &c.; (b) additions to the headquarters and districts staffs; (c) additions to the permanent forces; (d) purchase of lands for rifle ranges, and of reserve stores of clothing, equipment, &c.

As the expenditure for annual drill 1903-4 was heavier than that of any previous year, a statement is appended showing the pay and allowances drawn by each corps, the number of officers, N.C.O's and men trained, the number who received efficiency pay and other particulars. (Appendix C).

As efficiency pay was not authorized until the month of May, only a portion of the troops received it. It is worthy of note that the majority of these were first-year men.

It is proposed to form the nucleus of an Army Pay Department. This has become necessary owing to the increased work, and to the difficulty of obtaining trained paymasters when required.

In each of the larger districts it is proposed to try the experiment of appointing a paymaster to pay the permanent force and also the camps.

CENTRAL REGISTRY.

The central registry system, which was established on the 1st July, 1903, is working most satisfactorily, and has effected great improvement in the conduct of business in the department. For a department so organized a central registry system is an absolute necessity, and it was fortunate that the system had been established before the recent reallotment of duties, otherwise it would have been impossible to have avoided great inconvenience and confusion for some months to come. As it was, the only additional work thrown on the central registry was that which fell to the distributing clerk in familiarizing himself with the changed distribution.

The establishment of the central registry has relieved me of a great deal of routine work, and the advantages in having only one registry office, and to be able to readily locate papers when they are required, are inestimable. It is also a great advantage having all papers on any one subject on one file instead of on two or three different files as formerly.

Dominion Arsenal.

The report of the superintendent of the Dominion Arsenal for the year ending 30th June is herewith. (Appendix D).

I have the honour to be, sir,

Your obedient servant,

L. F. PINAULT, Colonel,
Deputy Minister of Militia and Defence.

APPENDIX A.

FINANCIAL Statement for year ended June 30, 1904.

VOTES FOR MILITIA SERVICES, 1903-04.	EXPENDED.
	$ cts.
By Statute—	
Pay of General Officer, Adjutant-General and Q. M. General	10,929 51
By Vote—	
Pay of Staff, Permanent Corps and Active Militia, including allowances	541,589 88
Military Survey—Intelligence Branch	7,166 75
Annual Drill and Musketry, Clothing and Stores	749,985 17
Salaries and wages of Civil Employées	64,681 72
Military Properties, Works and Buildings	207,700 05
Military Properties—To re-imburse Officers P. E. I. Regt. for repairs to Orderly Room Building	545 43
Provisions, Supplies and Remounts	158,377 76
Transport and freight	54,854 70
Grants in aid of Artillery and Rifle Associations and Bands and Military Institutes	40,499 00
Miscellaneous and unforeseen contingencies	27,329 95
Royal Military College of Canada	90,387 09
Dominion Arsenal	150,000 00
Defence, Esquimalt, B.C	109,986 65
Paving streets, front of Barracks, Winnipeg	4,948 60
Site for Drill Shed at Hagersville	100 00
Departmental Library	364 34
Yukon—Transportation claims	24,386 40
Gratuity—Firemen at Fredericton, N.B	50 00
" Sgt.-Major Phillips	784 75
Capital Account—Arms, Ammunition, Rifle Ranges, Lands, Reserve Clothing, Equipment, &c	1,224,910 11
" Dominion Arsenal—For Manufacture of Reserve Ammunition	74,910 96
Special Service—South Africa	11,887 74
Gratuity to widow of Sgt.-Major Wanless	99 20
Sau't Ste. Marie strike	6,851 05
Montreal Longshoremen's strike	501 50
Total	3,552,898 80
Pensions.	
By Vote—	
Pensions—Militia,—Rebellion, 1885	17,915 60
" Militia,—Fenian raid, &c.	2,373 00
By Statute—	
Pensions—Militia,—Upper Canada, Reb. of 1837-38	320 00
" Act, 1901	6,304 75
Total	26,913 35

REVENUE.		
Casual		594 83
Ammunition, Stores and Clothing	$ 12,983 55	
Rents	4,230 12	
Miscellaneous	2,680 29	
		19,893 96
Royal Military College		23,323 44
Total		43,812 23

Certified correct,

J. W. BORDEN,
Accountant.

APPENDIX B.

STATEMENT of Expenditure for the Ten Years ending June 30, 1903.

	1893-94.	1894-95.	1895 96.	1896-97.	1897-98.	1898-99.	1899-1900.	1900-01.	1901-02.	1902-03.
	$	$	$	$	$	$	$	$	$	$
Pay of Headquarters and District Staffs	37,569	39,462	39,927	41,353	38,592	39,525	41,769	41,093	44,203	67,296
Pay of Permanent Force including Officers, N.C.O. and men attached	243,205	266,832	246,650	256,476	251,103	225,715	197,655	248,639	270,028	284,474
Allowances for care of arms, drill instruction and postage to active militia	64,717	57,484	63,525	63,280	77,876	74,556	99,603	70,882	51,746	51,696
Annual drill including supplies and transport	211,614	282,793	100,637	430,168	299,628	422,553	424,991	454,357	529,625	385,190
Salaries and wages of civil employees	51,042	67,833	62,999	67,868	65,420	68,994	70,000	86,495	93,956	94,994
Military properties—Maintenance	28,065	30,231	31,450	39,101	33,447	34,819	39,930	39,203	47,760	49,201
" Construction	62,918	97,126	71,533	73,491	66,453	86,114	118,704	191,858	220,785	140,173
" Rifle ranges	7,000	.....	.....	.....	14,659	62,758	96,949	76,104	74,961	64,165
Warlike and other stores	59,382	51,099	30,994	50,427	46,868	79,084	58,087	85,171	99,079	89,319
Clothing and necessaries for permanent force and active militia	72,982	114,993	55,184	232,167	87,344	169,978	185,079	209,657	224,805	142,364
Provisions and supplies for permanent forces	146,483	151,614	120,327	115,899	119,911	109,973	117,934	121,790	129,694	129,896
Transport and freight	30,350	39,844	37,483	43,998	39,976	44,970	39,863	39,824	39,308	39,091
Grants to rifle associations and bands	35,650	34,675	34,555	39,950	35,000	42,425	36,942	36,035	39,950	37,987
Royal Military College	68,022	64,569	62,102	59,616	58,232	65,395	69,230	72,520	81,912	75,006
Dominion Arsenal	35,077	53,594	38,770	58,492	72,832	84,276	102,952	110,783	207,614	149,998
Arms and ammunitions	16,156	68,083	1,000,000	745,965	173,740	393,688	161,498	131,551	224,736	299,689
Gratuities and compensation	20,473	1,000	2,673	5,158	42,915	28,018	2,574	5,411	1,210	2,823
Miscellaneous votes	14,418	25,381	16,012	45,123	119,318	423,124	202,138	48,046	70,122	168,748
Defences of Esquimalt	78,394	127,500	121,892	45,119	44,899	44,670	12,989	128,140	122,432	111,943
Special Services, South Africa	.....	.....	.....	.....	.....	.....	1,427,502	558,811	.....	.....
Halifax, Provisional Garrison	.....	.....	.....	.....	.....	.....	118,265	349,871	254,961	131,256
Totals	1,284,517	1,574,113	2,136,713	2,413,651	1,688,213	2,500,635	3,624,654	3,106,241	2,828,887	2,515,309

Total of expenditure under last three headings, this being of an Imperial nature	78,394	127,500	121,892	45,119	44,899	44,670	1,558,756	1,036,822	377,393	243,199
PENSIONS.										
1812-15	210	120	60							
1837-38	2,080	1,800	1,760	1,520	1,480	1,520	840	800	600	360
Fenian Raid	3,038	2,984	2,892	2,894	2,871	2,583	2,339	2,339	2,261	2,268
North-west Rebellion, 1885	20,081	19,366	19,202	18,864	18,918	18,712	18,571	18,103	18,317	18,188
Totals	25,409	24,270	23,914	23,278	23,269	22,815	21,750	21,242	21,178	20,816
REVENUE RECEIVED.										
Militia	20,110	20,171	22,835	23,840	21,033	51,429	26,291	25,658	18,513	17,836
Casual	80	1,839	1,103	128	401	961	2,120	37,777	1,821	483
Royal Military College	22,417	19,274	19,882	16,523	15,884	21,536	21,464	22,036	23,230	23,956
Totals	42,607	41,284	43,820	40,491	37,318	73,926	49,875	85,471	43,564	42,275

Certified correct,

J. W. BORDEN,

Accountant.

APPENDIX C.

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903–4.

Corps.	Date of Training.	Where Trained.	Establishments.				Numbers Trained.				Allowances.			
			Officers.	N.C.O.	Men.	Horses.	Officers.	N.C.O.	Men.	Horses.	Rations.	Forage.	Marching.	Baggage Transport.
											$ cts.	$ cts.	$ cts.	$ cts.
1st Cav. Brigade Staff	June 14-25, '04	Niagara					4	2		4				
2nd " "	June 23-July 4, '03	Barriefield					3			3				
3rd " "	June 30-July 11, '03	Three Rivers					3	2		3				
Gov. Gen Body Guard	June 11-25, '04	Niagara	40	64	228	308	16	65	222	262	85 75	137 55	311 32	18 90
1st Hussars	"	"	40	64	228	308	21	62	211	268	84 75	93 80		37 70
2nd Dragoons	"	"	40	64	228	308	25	66	222	275	78 50	96 60	387 60	22 00
3rd "	June 23-July 4, '03	Barriefield	30	63	268	324	25	62	174	232	67 25	80 50		36 10
4th Hussars	" "	"	30	63	268	324	21	59	224	286	98 63	124 60	185 12	28 40
5th P. L. D. Guards	June 21-July 2, '04	Rockliffe	33	50	171	234	25	48	141	187	53 75	69 30	63 00	30 10
6th Hussars	June 30-July 11, '03	Three Rivers	38	77	333	405	33	76	293	358	100 25	124 60		52 30
7th "	" "	"	38	77	333	405	26	76	303	359	123 75	127 05		51 00
8th "	Sept. 15-26, '03	Sussex	30	63	268	324	23	63	265	309	131 75	114 80	30 64	43 00
9th Toronto Light Horse	June 11-25, '04	Niagara	40	64	228	308	16	57	152	193	65 75	67 55		30 10
10th Q. O. C. Hussars (A)	June, 1904	St. Joseph's Camp.	16	30	114	148	16	30	114	148	483 00	621 60		
11th Hussars	No payment.													
12th Man. Dragoons (A)	June 21-July 2, '04	Virden	40	64	228	308	17	34	159	223	690 25	945 00	594 70	15 10
King's Can. Hussars	Sept. 15-26, '03	Aldershot	7	15	65	81	6	15	61	77	20 50	26 95		
D. of Y. R. C. Hussars	June, 1903	L. H.	7	15	65	81	5	14	65	77				
P. E. I. Light Horse (A)	June 30-July 11, '03	Charlottetown	7	15	65	81	3	10	42	51	168 25	220 15		6 20
Can. Mtd. Rifles (G. Squ.) (A)	June 20-July 1, '04	Virden	7	15	65	81	7	15	59	76	243 00	319 20		12 10
Total Cavalry			443	803	3,155	4,028	295	756	2,707	3,391	2,495 13	3,169 25	1,572 38	383 00
1st Brigade Fd. Arty. Staff	June 21-July 2, '04	Guelph					4	4	3	6	35 50	25 20		2 70
2nd " "	June 11-25, '04	Niagara					5	5	1	6	2 75	2 10		2 70
1st Field Battery (A)	June 22-July 4, '03	Levis	6	22	73	50	3	22	39	47	198 25	197 40		6 10
2nd "	June 21-July 2, '04	Rockliffe	7	26	85	75	7	25	84	72	46 50	42 70		14 40
3rd " (A)	June 20-July 1, '03	St. Helen's Island	6	22	73	50	7	22	72	54	309 00	243 48		12 80
4th "	June 23-July 4, '04	Niagara	7	26	85	75	6	24	62	39	28 50	26 60		11 20
5th "	No payment.													
6th "	"													

7th	"	June 23-July 4, '04..	Niagara	7	26	85	75	2	23	56	47	27 25	29 40	82 68	0 50
8th	"	No payment.													
9th	"	June 23-July 4, '04..	Niagara	7	26	85	75	6	74	71	64	27 00	39 55		
10th	" (A).	June 29-July 12, '03.	L. H. in camp	6	22	73	50	7	22	73	54	306 00	226 80		
11th	" (A)	June 21-July 2, '04 .	Guelph	7	26	85	75	6	26	83	67	371 25	309 40		13 80
12th	" (A)	June 29-July 12, '03.	L. H. in camp	6	22	73	50	7	23	18	55	234 00	231 00		10 60
13th	" (A)	July 5-16, '04	"	7	26	85	75	9	28	84	72	359 75	301 00		14 40
14th	"	June 22-July 3, '03..	Deseronto	6	22	73	50	7	23	41	54	28 25	32 20		9 90
15th	" (A)	Sept. 15-26, '03	West Shefford	6	22	73	50	6	22	67	55	305 05	243 00		10 00
16th	" (A)	June 21-July 2, '04..	Guelph	7	26	85	75	4	27	72	69	305 00	301 70		11 90
17th	"	Sept. 15-26, '03	Aldershot	6	22	73	50	7	22	71	49	51 00	34 30		13 30
Total Field Batteries				91	336	1,106	875	93	392	897	810	2,635 05	2,285 83	82 68	134 30
1st Regt. Gar. Art., 1st Div.		1903-4	L. H.	23	62	348	4	23	46	216					
"	2nd " (A)	Aug. 31-Sept. 11, '03	Halifax	14	36	164	2	12	29	96		533 10			19 80
2nd	"	Oct., 1903.	L. H.	18	48	276	3	15	36	281	3				
3rd	"	July, 1903	"	18	42	202	3	18	38	188	3				
4th	"	June 30-July 11, '03.	Charlottetown	18	42	202	3	16	38	179	3	302 00	12 60	49 60	15 10
5th	"	June, 1903	L. H. Camp	24	60	270	3	16	52	196	3	1,081 50		28 80	
6th	"	August, 1903.	L. H.	18	42	202	3	15	37	178	2				
Cobourg Co		Oct., 1903.	"	5	10	85		4	14	67					
Total Garrison Art.				138	342	1,749	21	119	290	1,401	14	1,916 60	12 60	78 40	34 90
Brighton Engineer Co		Sept. 15-27, 1903	Sussex	6	19	81		4	14	10		15 00		19 20	
Toronto	"	June 14-25, 1904	Niagara	6	19	81		3	13	34	9	12 50	3 15		
Ottawa	"	June, 1903	L. H.	6	19	81		4	18	66					
Montreal	"	Nov., 1903	"	6	19	81		6	18	84	1				
Charlottetown	"	July, 1903	"	6	19	81		3	16	32					
Total Engineers				30	95	405		20	79	226	10	27 50	3 15	19 20	
1st Brigade Infantry Staff.		June 17-18, '04	London					2	2		2		0 70		1 10
2nd	"	"	"					2	2		2		0 70		1 00
3rd	"	June 14-25, '04	Niagara					2	2		2				1 20
4th	"	"	"					2	2		2				1 20
5th	"	"	"					2	2		2				1 20
5th	"	June 22-July 4, '03..	Barriefield					3	2		2				
6th	"	"	"					2	3		2				
7th	"	June 30-July 11, '03.	Three Rivers					2	2		2				1 40
8th	"	"	"					2	2		2				
9th	"	"	"					2	2		2				
10th	"	"	"					2	2		2				
11th	"	June 21-July 2, '04..	Rockcliffe					2	1		2				
14th	"	Sept. 14-25, '03	Aldershot					2	4		2				
15th	"	"	"					2	4		2				1 40

APPENDIX C.—*Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903–4.

Corps.	Date of Training.	Where Trained.	Allowances.					Efficiency Pay.				Ordinary Pay. Amount.	Total Pay and Allowances
			Camp Tins.	Veterinary.	Wagon.	Diets.	Ambulance.	Nos. 1st Year.	Nos. 2nd Year.	Nos. 3rd Year.	Amount		
			$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.	$ cts.	$ cts.
1st Cav. Brigade Staff	June 14–25, '04	Niagara										322 20	322 20
2nd "	June 23–July 4, '03	Barriefield										171 00	171 00
3rd "	June 30–July 11, '03	Three Rivers										281 00	281 00
Gov. Gen. Body Guard	June 11–25, '04	Niagara	40 00	83 00	24 00			210	25	52	928 50	5,489 35	7,118 37
1st Hussars	"	"	40 00	166 00	30 00			155	51	65	994 10	5,528 54	6,974 89
2nd Dragoons	"	"	40 00	83 00				118	56	110	1,214 40	6,000 84	7,922 94
3rd "	June 23–July 4, '03	Barriefield	40 00	29 60								5,073 62	5,327 07
4th Hussars	"	"	50 00	46 60								5,943 16	6,476 51
5th P. L. D. Guards	June 21–July 2, '04	Rockliffe	30 00		18 00			105	44	37	764 80	4,326 74	5,355 69
6th Hussars	June 30–July 11, '03	Three Rivers	50 00	103 00	6 00							7,610 60	8,046 75
7th "	"	"	46 00		24 00							7,489 96	7,861 76
8th "	Sept. 15–26, '03	Sussex	40 00	32 62	18 00							6,569 32	6,980 13
9th Toronto Light Horse	June 11–25, '04	Niagara	40 00	83 00	18 00			140	14	34	609 20	4,074 84	4,988 44
10th Q. O. C. Hussars (A)	June, 1904	St. Joseph's Camp		40 00	12 00			67	38	35	553 20	3,126 88	4,836 68
11th Hussars	No payment.												
12th Man. Dragoons (A)	June 21–July 2, '04	Virden	30 00					145	36	41	719 60	4,565 46	7,560 11
King's Can. Hussars	Sept. 15–26, '03	Aldershot	10 00	19 50								1,571 06	1,648 01
D. of Y. R. C. Hussars	June, 1903	L. H										1,540 08	1,540 08
P. E. I. Light Horse (A)	June 30–July 11, '03	Charlottetown	10 00									1,033 10	1,437 70
Can. Mtd. Rifles (G. Sqn.) (A)	June 20–July 1, '04	Virden	10 00		6 00			45	20		204 00	1,410 96	2,205 26
Total Cavalry			476 00	686 32	156 00			985	284	374	5,987 80	72,128 71	87,054 59
1st Brigade Fd. Arty. Staff	June 21–July 2, '04	Guelph						1	3	3	34 80	325 58	423 78
2nd " "	June 11–25, '04	Niagara		48 00				1		3	20 40	513 34	589 29
1st Field Battery (A)	June 22–July 4, '03	Levis		48 00								1,112 86	1,552 61
2nd "	June 21–July 2, '04	Rockliffe	10 00					26	18	64	556 10	1,927 87	2,597 57
3rd "	June 20–July 1, '03	St. Helen's Island	10 00									1,595 06	2,170 34
4th "	June 23–July 4, '04	Niagara	10 00		6 00			38	18	29	362 20	1,242 02	1,686 52
5th "	No payment.												
6th "	"												

7th "	June 23–July 4, '04..	Niagara	10 00		6 00			39	2	36	473 80	1,055 04	1,684 67
8th "	No payment.													
9th "	June 23–July 4, '04..	Niagara	10 00					64	7	24	344 10	1,593 98	2,014 63
10th " (A)	June 29–July 12, '03.	L. H. in camp	10 00									1,540 32	2,083 12
11th " (A)	June 21–July 2, '04..	Guelph	10 00					45	18	46	476 30	1,743 90	2,924 65
12th " (A)	June 29–July 12, '03.	L. H. in camp	10 00									1,448 63	1,934 23
13th " (A)	July 5–16, '04	"	10 00					68	7	34	400 80	1,815 23	2,901 18
14th "	June 22–July 3, '03	Deseronto	10 00	15 00								1,321 52	1,416 87
15th " (A)	Sept. 15 26, '03.	West Shefford	10 00	20 20								1,539 66	2,127 91
16th " (A)	June 21–July 2, '04..	Guelph	10 00					52	18	26	395 70	1,581 86	2,606 16
17th "	Sept. 15–26, '03.	Aldershot	10 00									1,468 25	1,576 85
Total Field Batteries..			130 00	131 20	12 00			334	91	265	3,064 20	21,825 12	30,290 38
1st Regt. Gar. Art., 1st Div.	1903–4	L. H.										2,126 82	2,126 82
" 2nd " (A)	Aug. 31–Sept. 11, '03	Halifax	24 00									1,274 73	1,851 63
2nd "	Oct., 1903.	L. H.										3,022 20	3,022 20
3rd "	July, 1903	"										2,248 71	2,248 71
4th "	June 30–July 11, '03.	Charlottetown	12 00									2,241 66	2,632 96
5th "	June, 1903.	L. H. Camp.										2,090 44	3,200 74
6th "	Aug., 1903	L. H.										2,015 80	2,015 80
Cobourg Co	Oct., 1903.	"										840 68	840 68
Total Garrison Art..			36 00									15,861 04	17,939 54
Brighton Engineer Co.	Sept. 15-27, '03.	Sussex	10 00									278 06	322 26
Toronto "	June 14-25, '04.	Niagara	6 00					29	4	9	134 70	539 45	695 80
Ottawa "	June, 1903.	L. H.										806 52	806 52
Montreal "	Nov., 1903.	"										805 68	805 68
Charlottetown "	July, 1903.	"										405 42	405 42
Total Engineers			16 00					29	4	9	134 70	2,835 13	3,035 68
1st Brigade Infantry Staff.	June 7-18, '04	London								1	6 00	253 20	261 00
2nd "	"	"						1			2 40	253 20	257 30
3rd "	June 14-25, '04	Niagara								1	6 50	273 00	280 70
4th "	"	"								2	13 00	271 70	285 90
5th "	"	"								2	13 00	291 20	305 40
5th "	June 22–July 4, '03.	Barriefield										395 21	395 21
6th "	"	"										431 91	431 91
7th "	June 30, July 11, '03.	Three Rivers										271 70	273 10
8th "	"	"										277 70	277 70
9th "	"	"										279 50	279 50
10th "	"	"										231 60	231 69
11th "	June 21–July 2, '04..	Rockcliffe		15 00					1		5 20	250 25	270 45
14th "	Sept. 14-25, '03	Aldershot										281 30	281 30
15th "	"	"										294 00	295 40

APPENDIX C.—*Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4.—*Continued.*

Corps.	Date of Training.	Where Trained.	Establishment.				Numbers Trained.				Allowances.			
			Officers.	N.C.O.	Men.	Horses.	Officers.	N.C.O.	Men.	Horses.	Rations.	Forage.	Marching.	Baggage Transport.
											$ cts.	$ cts.	$ cts.	$ cts.
Gov. Gen. Foot Guards	April, 1903	L. H.	31	61	326	4	20	50	328	4				
1st Regiment Infantry	June, 1903	"	31	71	466	4	23	69	443	4				
2nd "	Nov., 1903	"	38	97	579	4	38	97	579	4				
3rd "	May, 1903	"	31	55	299	4	29	54	299	4				
4th "	June 30-July 11, '03.	Three Rivers	31	55	281	4	18	53	150	3	75 75	7 85	60 26	13 80
5th "	June, 1903	L. H.	31	55	281	4	22	55	282	4				
6th "	1903-4	"	31	55	281	4	25	54	279	4				
7th "	May, 1903	"	25	44	209	4	21	42	210	4				
8th "	May, 1904	"	31	55	281	4	17	54	227	4				
9th "	"	"	31	55	281	4	21	54	279	3				
10th "	Nov., 1903	L. H.	31	71	368	4	25	70	465	4				
11th "	June 30-July 11, '03.	Three Rivers	31	55	281	4	13	46	115	4	43 50	1 40	97 20	2 50
12th "	June 14-25, '04	Niagara	46	108	364	4	22	90	214	4	81 50	1 40	48 00	32 30
13th "	Nov., 1903	L. H.	31	75	381	4	30	73	380	4				
14th "	"	"	25	44	209	4	18	42	190	4				
15th "	June, 1903	"	25	44	209	4	21	43	193	4				
16th "	No payments.													
17th "	June 30-July 11, '03.	Three Rivers	31	55	281	4	15	53	136	4	61 00	1 40	37 36	18 80
18th "	" "	"	31	55	281	4	15	54	96	3	75 12	2 10	45 12	16 20
19th "	Nov, 1903	L. H.	18	31	135	3	13	31	137	2				
20th "	June 14-25, '04	Niagara	46	108	364	4	21	57	197	2	68 00	0 70	41 16	28 20
21st "	Oct., 1903	L. H.	31	55	281	4	23	40	216					
22nd "	June 7-18, '04	London	46	108	364	4	19	104	143	4	66 50	1 40		35 40
23rd "	June 14-25, '04	Niagara	46	108	364	4	23	84	253	4	90 00	1 40	172 48	35 30
24th "	1903-4	L. H.	18	31	135	3	16	31	136	4				
25th "	June, 1903	"	18	31	135	3	14	29	108	3				
26th "	June 7-18, '04	London	46	108	364	4	20	55	257	4	83 00	1 40	96 32	26 10
27th "	"	"	46	108	364	4	21	108	194	4	81 00			40 30
28th "	"	"	46	108	364	4	20	105	141	4	65 75	1 40		34 60
29th "	"	"	46	108	364	4	21	99	83	3	50 75	1 05		28 70
30th "	"	"	46	108	364	4	29	101	278	4	102 00	1 40	67 68	41 50
31st "	June 14-25, '04	Niagara	46	108	364	4	21	78	103	4	49 00	1 40		28 50
32nd "	June 7-18, '04	London	46	108	364	4	23	91	163	4	77 50	1 40	28 00	32 10

33rd	"	"	"	46	108	364	4	21	54	149	3	56 00	1 05	57 08	24 00	
34th	"	June 14-25, '04	Niagara	46	108	364	4	24	90	168	4	70 25	1 40	88 48	22 50	
35th	"	"	"	46	108	364	4	23	54	273	3	86 75	1 05	15 36	40 00	
36th	"	"	"	46	108	364	4	24	104	187	3	78 75	1 65		41 10	
37th	"	"	"	46	108	364	4	20	95	230	2	86 25	0 70	252 80	3 20	
38th	"	Nov., 1903	L.H	25	43	210	4	21	41	216	4					
39th	"	June 14-25, '04	Niagara	46	108	364	4	25	64	199	4	72 00	1 40	239 72	10 00	
40th	"	June 23-July 4, '04	Barriefield	46	108	364	4	16	53	93	4	40 75	1 40	7 08	20 50	
41st	"	Nov., 1903	L.H	25	44	209	4	10	25	84						
42nd	"	June 21-July 2, '04	Rockliffe	46	108	364	4	16	78	189	3	72 25			34 90	
43rd	"	June, 1903	L.H	31	55	281	4	32	57	260	5					
44th	"	June 14-25, '04	Niagara	46	108	364	4	22	55	178	3	64 50	1 05		34 60	
45th	"	June 23-July 4, '03	Barriefield	31	55	281	4	16	32	90	2	59 50	0 70	15 12	19 90	
46th	"	" "	"	31	55	281	4	13	42	74	3	32 25	1 05	52 78	11 50	
47th	"	No payments.														
48th	"	Nov., 1903	L.H	31	55	281	4	28	72	470	4					
49th	"	June 23-July 4, '03	Barriefield	31	55	281	4	23	53	128	3	66 75	1 05	69 10	23 10	
53rd	"	June, 1903	L. H.	18	31	188	4	16	30	189	3					
54th	"	June 30-July 11, '03	Three Rivers	25	43	209	4	14	47	111	4	43 25	1 40	21 24	18 80	
55th	"	No payments.														
56th	"	June 21-July 2, '04	Rockliffe	46	108	364	4	20	85	123	4	57 50	1 40	117 72	27 50	
57th	"	June, 1903	L. H.	25	43	209	4	27	54	223	4					
59th	"	June 21-July 2, '04	Rockliffe	46	108	364	4	25	105	194	4	81 75	1 40	49 32	33 90	
61st	"	June 30-July 11, '03	Three Rivers	31	55	281	4	16	53	99	4	42 00	1 40		27 70	
62nd	"	Juiy, 1903	L. H.	31	55	281	4	22	51	228	4					
63rd	"	1902-03	"	31	55	281	4	30	55	282	4	32 75				
64th	"	June 30-July 11, '03	Three Rivers	31	55	281	4	24	54	157	4	88 00	1 40	24 30	30 30	
65th	"	June, 1903	L. H.	31	55	281	4	24	52	292	4					
66th	"	Dec., 1903	"	31	70	467	4	21	64	380	4	53 50				
67th	"	Sept. 15-26, '03	Sussex	31	55	281	4	19	32	61	4	39 25	1 40	16 64	15 30	
68th	"	"	Aldershot	31	55	281	4	24	49	95	4	42 00	1 40	34 24	20 00	
69th	"	"	"	31	55	281	4	26	54	144	4	58 00	1 05	162 32	2 10	
71st	"	"	Sussex	31	55	281	4	22	50	88	3	53 00	1 05	28 80	22 30	
73rd	"	"	"	31	55	281	4	14	51	74	4	75 00	1 40	27 04	15 90	
74th	"	"	"	31	55	281	4	24	47	106	4	69 00	1 40	10 36	24 30	
75th	"	"	Aldershot	31	55	281	4	18	45	105	3	43 50	1 05	133 56	15 20	
76th	"	No payments.														
77th	"	June 14-25, '04	Niagara	46	108	364	4	26	90	152	4	69 50	1 40	238 32	9 40	
78th	"	Sept. 15-26, '03	Aldershot	31	55	281	4	24	50	103	3	44 50	1 05	22 56	22 70	
79th	"	June 30-July 11, '03	Three Rivers	31	55	281	4	15	53	124	4	61 15	1 40	101 04	11 90	
80th	"	"	"	18	31	137	3	11	29	79	3	37 00	1 05	124 12	3 20	
82nd	"	"	Charlottetown	31	55	281	4	29	53	161	4	739 25	16 80	106 40	24 40	
83rd	"	"	Three Rivers	31	55	281	4	16	53	165	3	57 50	1 05	169 98	11 50	
84th	"	July, 1903	L. H.	18	31	137	3	16	30	137	3					
85th	"	June 30-July 11, '03	Three Rivers	31	55	281	4	17	54	194		83 25			35 30	
86th	"	Nov., 1903	L. H	18	31	137	3	16	31	117	2					
87th	"	June 30-July 11, '03	Three Rivers	31	55	281	4	27	54	151	4	77 25	1 40	20 52	31 20	
89th	"	"	"	31	55	281	4	18	53	114	3	77 00	1 05		37 00	
90th	"	1903-4	L. H	46	108	364	4	30	68	184						
91st	"	May, 1904	"	27	62	133	4	18	42	210	4					

APPENDIX C.— *Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4.—*Continued.*

Corps.	Date of Training.	Where Trained.	Allowances.					Efficiency Pay.				Ordinary Pay. Amount.	Total Pay and Allowances
			Camp Tins.	Veterinary.	Wagon.	Diets.	Ambulance.	Nos. 1st Year.	Nos. 2nd Year.	Nos. 3rd Year.	Amount		
			$ cts.	$ cts.	$ cts.	$ cts.	$ cts.					$ cts.	$ cts.
Gov. Gen. Foot Guards	April, 1903	L. H.										3,005 73	3,005 73
1st Regiment Infantry	June, 1903	"										3,983 16	3,983 16
2nd "	Nov., 1903	"										5,275 63	5,275 63
3rd "	May, 1903	"										3,121 92	3,121 92
4th "	June 30-July 11, '03.	Three Rivers	48 00									2,040 40	2,246 06
5th "	June, 1903	L. H.										2,877 60	2,877 60
6th "	1903-4	"										3,080 63	3,080 63
7th "	May, 1903	"										2,269 32	2,269 32
8th "	May, 1904	"										2,396 79	2,396 79
9th "	"	"										2,815 44	2,815 41
10th "	Nov., 1903	L. H.										4,118 10	4,118 10
11th "	June 30-July 11, '03.	Three Rivers	42 00									1,689 62	1,876 22
12th "	June 14-25, '04	Niagara	48 00					160	19	111	1,141 20	2,820 76	4,173 16
13th "	Nov., 1903	L. H.										3,794 56	3,794 56
14th "	"	"										2,086 53	2,086 53
15th "	June, 1903	"										2,123 16	2,123 16
16th "	No payments												
17th "	June 30-July 11, '03.	Three Rivers	48 00									1,861 32	2,027 88
18th "	" "	"	48 00									1,573 06	1,759 60
19th "	Nov., 1903	L. H.										1,527 89	1,527 89
20th "	June 14-25, '05	Niagara	48 00					193	33	27	783 60	2,299 51	3,269 17
21st "	Oct., 1903	L. H.										2,366 16	2,366 16
22nd "	June 7-18, '04	London	48 00					165	21	122	1,084 80	2,416 30	3,652 40
23rd "	June 14-25, '04	Niagara	48 00					311	6	18	885 20	2,995 86	4,228 24
24th "	1903-4	L. H.										1,577 64	1,577 64
25th "	June, 1903	"										1,297 52	1,297 52
26th "	June 7-18, '04	London	48 00					90	50	172	1,505 00	2,662 82	4,422 64
27th "	"	"	48 00					176	40	86	1,117 00	2,793 60	4,079 90
28th "	"	"	48 00					157	12	76	891 40	2,384 74	3,425 89
29th "	"	"	48 00					91	48	63	737 90	1,978 68	2,845 08
30th "	"	"	60 00					201	82	96	1,458 60	3,443 79	5,174 97
31st "	June 14-25, '04	Niagara	48 00					92	44	45	675 60	1,928 96	2,731 46
32nd "	June 7-18, '04	London	48 00					139	27	88	1,001 30	2,449 17	3,637 47

33rd	"	"	"	48 00				164	12	27	606 40	2,012 80	2,835 33	
34th	"	June 14-25, '04	Niagara	42 00				142	44	72	982 00	2,508 20	3,714 83	
35th	"	"	"	48 00				197	41	87	1,191 60	2,859 98	4,242 74	
36th	"	"	"	48 00				172	30	87	1,081 60	2,697 68	3,948 18	
37th	"	"	"	48 00				115	45	165	1,482 00	2,816 02	4,688 97	
38th	"	Nov., 1903	L. H.									2,278 41	2,278 41	
39th	"	June 14-25, '04	Niagara	48 00				140	37	83	1,012 00	2,508 68	3,891 80	
40th	"	June 23-July 4, '04	Barriefield	48 00								1,631 80	1,749 53	
41st	"	Nov., 1903	L. H.									873 68	873 68	
42nd	"	June 21-July 4, '04	Rockliffe	30 00				153	11	103	1,048 60	2,416 81	3,602 56	
43rd	"	June, 1903	L. H.									3,164 16	3,164 16	
44th	"	June 14-25, '04	Niagara	48 00				177	29	27	717 20	2,242 32	3,107 67	
45th	"	June 23-July 4, '03	Barriefield	48 00								1,484 28	1,604 50	
46th	"	" "	"	42 00								1,381 36	1,520 94	
47th	"	No payments.												
48th	"	Nov., 1903	L. H.									4,254 39	4,254 39	
49th	"	June 23-July 4, '03	Barriefield	48 00								1,944 46	2,152 46	
53rd	"	June, 1903	L. H.									1,884 78	1,884 78	
54th	"	June 30-July 11, '03	Three Rivers	42 00								1,672 26	1,798 95	
55th	"	No payments.												
56th	"	June 21-July 2, '04	Rockliffe	42 00				114	29	65	800 00	2,181 79	3,227 91	
57th	"	June, 1903	L. H.									2,508 76	2,508 76	
59th	"	June 21-July 2, '04	Rockliffe	48 00				176	65	78	1,099 70	2,875 22	4,189 29	
61st	"	June 30-July 11, '03	Three Rivers	48 00								1,721 88	1,840 98	
62nd	"	July, 1903	L. H.									2,408 08	2,408 08	
63rd	"	1902-03	"									2,954 91	2,987 66	
64th	"	June 30-July 11, '03	Three Rivers	48 00								2,217 28	2,408 98	
65th	"	June, 1903	L. H.									2,944 80	2,944 80	
66th	"	Dec., 1903	"									3,300 09	3,353 59	
67th	"	Sept. 15-26, '03	Sussex	42 00								1,427 90	1,542 49	
68th	"	"	Aldershot	48 00								1,778 18	1,923 82	
69th	"	"	"	48 00								2,252 87	2,524 34	
71st	"	"	Sussex	48 00								1,644 24	1,797 39	
73rd	"	"	"	48 00								1,421 07	1,588 41	
74th	"	"	"	42 00								1,808 54	1,955 60	
75th	"	"	Aldershot	42 00								1,570 33	1,805 64	
76th	"	No payments.												
77th	"	June 14-25, '04	Niagara	48 00				146	38	66	928 80	2,549 00	3,844 42	
78th	"	Sept. 15-26, '03	Aldershot	48 00								1,723 86	1,862 67	
79th	"	June 30-July 11, '03	Three Rivers	48 00								1,881 93	2,108 42	
80th	"	"	"	24 00								1,112 60	1,301 97	
82nd	"	"	Charlottetown	48 00								2,245 96	3,180 81	
83rd	"	"	Three Rivers	48 00								1,962 58	2,250 61	
84th	"	July, 1903	L. H.									1,586 36	1,586 36	
85th	"	June 30-July 11, '03	Three Rivers	48 00								2,368 02	2,534 57	
86th	"	Nov., 1903	L. H.									1,351 08	1,351 08	
87th	"	June 30-July 11, '03	Three Rivers	48 00								2,488 78	2,367 15	
89th	"	"	"	48 00								1,706 59	1,869 64	
90th	"	1903-4	L. H.									2,628 40	2,628 40	
91st	"	May, 1904	"									2,168 40	2,168 40	

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4—*Continued.*

Corps.	Date of Training.	Where Trained.	Establishments.				Numbers Trained.				Allowances.			
			Officers.	N.C.O.	Men.	Horses.	Officers.	N.C.O.	Men.	Horses.	Rations.	Forage.	Marching.	Baggage Transport.
											$ cts.	$ cts.	$ cts.	$ cts.
92nd Regt. Infantry	No payments.													
93rd "	Sept. 15-26, '03	Aldershot	31	55	281	4	25	45	127	4	49 25	1 40	34 72	25 10
94th "	"	"	31	55	281	4	24	51	162	4	59 50	1 40	263 52	13 30
97th "	June 21-July 2, '04	Rockliffe	27	62	133	4	13	60	158	3	52 50	4 20		26 10
Rocky Mountain Rangers	1902-3	L. H.	15	30	180		10	30	164					
Dawson Rifle Co	No payments.													
Total Infantry			2,783	5,685	24,371	318	1,761	4,891	15,718	311	4,022 52	86 95	3,197 52	1,215 50
No. 1 Co. Army Ser. Corps	June 4-18, '04	London	5	25	76	95	1	19	18	16	9 30	5 60		
No. 2 " "	June 14-25, '04	Niagara	5	25	76	95	2	17	41	28	28 00			6 20
No. 3 " "	June 22-July 4, '03	Barriefield	5	25	76	95	3	20	28	22				
No. 4 " "	June 28-July 12, '03	Three Rivers	5	25	76	95	4	20	43	28				8 30
Total Army Ser. Corps			20	100	304	380	10	76	130	94	37 30	5 60		14 50
No. 1 Co. Fd. Hospital	Sept. 15-26, '03	Aldershot	3	7	14		1	7	14	1	5 00			2 40
No. 2 " "	June 23-July 4, '03	Barriefield	3	7	14		3	7	14	1	9 00	4 20		3 60
No. 3 " "	June 30-July 11, '03	Three Rivers	3	7	14		3	7	14					3 60
No. 4 " "	June 14-25, '04	Niagara	3	10	29		3	10	28	1				5 30
No. 5 " "	June 30-July 11, '03	Three Rivers	3	7	14		3	7	14		8 00			3 60
No. 6 " "	June 7-18, '04	London	3	10	29		3	10	29	5	1 00			4 90
No. 7 " "	June 14-25, '04	Niagara	3	10	29		2	9	26	1	1 50			4 50
No. 8 " "	Sept. 15-26, '03	Sussex	3	7	14		2	7	13	1	9 00	0 35		3 00
Brigade " "	June 20-July 2, '04	Rockliffe	3	7	14		1	5	14	3				2 40
No. 1 Bearer Co	June, 1903	Local headqtrs	3	13	48		3	12	37	1				
No. 2 "	" 1903	" "	3	11	21		3	11	20	1	25 50	1 05		4 60
No. 3 "	July, 1903	" "	3	11	21		2	11	21	4				2 60
No. 4 "	June 14-25, '1904	Niagara	3	15	20	2	2	15	20	4		48 00		4 56
No. 5 "	June 30-July 11, '03	Three Rivers	3	11	21		2	11	21					4 20
No. 6 "	June 7-18, '04	London	3	15	20	2	2	15	23	6				4 80

No. 7 "	June 14-25, '04	Niagara	3	15	20	2	2	12	20	5				
No. 8 "	Oct., 1903	Local headqtrs	3	11	21	2	3	11	20					
Total Army Med. Corps.			51	174	363	8	40	167	348	34	59 00	53 60		54 00
Corps of Guides	June 14-25, '04	Niagara					11		7	6	5 00	2 45		6 20
Perm. Forces	1903-4	Various camps												
London Camp Staff	June 7-18, '04						15	5		11				
Niagara "	June 14-25, '04						16	9		11				3 85
Barriefield "	June 23-July 4, '03						14	7		10				1 40
Rockliffe "	June 20-July 2, '04						12	18		9				
Three Rivers "	June 30-July 11, '03						16	12	10	10				
Sussex "	Sept. 15-26, '03						11	12	1	10				6 90
Aldershot "	" '03						11	11		9				
Charlottetown "	June 30-July 11, '03						3	4		3				
							98	78	11	73				12 15

APPENDIX C—*Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4—*Continued.*

Corps.	Date of Training.	Where Trained.	Allowances.					Efficiency Pay.				Ordinary Pay. Amount.	Total Pay and Allowances
			Camp Tins.	Veterinary.	Wagon.	Diets.	Ambulance.	Nos. 1st Year.	Nos. 2nd Year.	Nos. 3rd Year.	Amount		
			$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.	$ cts.	$ cts.
92nd Regt. Infantry	No payments.												
93rd "	Sept. 15-26, '03	Aldershot	42 00									1,887 00	2,039 47
94th "	"	"	48 00									2,136 48	2,522 20
97th "	June 21-July 2, '04	Rockliffe	24 00					136	16	45	676 20	1,835 80	2,618 80
Rocky Mountain Rangers	1902-3	L. H.										1,395 66	1,395 66
Dawson Rifle Co	No payments.												
Total Infantry			2,340 00	15 00				3,548	780	1,815	22,953 80	195,515 37	229,346 66
No. 1 Co. Army Ser. Corps	June 4-18, '04	London	10 00		30 00			36		2	123 00	655 95	833 85
No. 2 " "	June 14-25, '04	Niagara	20 00					39	12	6	224 90	1,061 16	1,340 26
No. 3 " "	June 22-July 4, '03	Barriefield	10 00		28 00							879 84	917 84
No. 4 " "	June 28-July 12, '03	Three Rivers	10 00									1,288 43	1,306 73
Total Army Ser. Corps			50 00		58 00			75	12	8	347 90	3,885 38	4,398 68
No. 1 Co. Fd. Hospital	Sept. 15-26, '03	Aldershot	6 00									200 50	213 90
No. 2 " "	June 23-July 4, '03	Barriefield	6 00			20 60						268 54	311 94
No. 3 " "	June 30-July 11, '03	Three Rivers	6 00			16 80	12 00					231 50	269 90
No. 4 " "	June 14-25, '04	Niagara	6 00					23	7	8	136 80	372 84	520 94
No. 5 " "	June 30-July 11, '03	Three Rivers	6 00			25 75						237 40	280 75
No. 6 " "	June 7-18, '04	London	6 00					21	7	6	121 80	349 65	483 35
No. 7 " "	June 14-25, '04	Niagara	6 00					22	6	7	125 30	318 30	455 60
No. 8 " "	Sept. 15-26, '03	Sussex	6 00				48 00					212 75	279 10
Brigade	June 20-July 2, '04	Rockliffe						7	5	7	83 20	236 60	322 20
No. 1 Bearer Co	June, 1903	Local headqtrs										547 02	547 02
No. 2 "	" 1903	"	6 00	51 57								299 58	388 30
No. 3 "	July, 1903	"	6 00									264 09	272 69
No. 4 "	June 14-25, '04	Niagara	6 00					15	11	9	112 80	363 30	564 60
No. 5 "	June 30-July 11, '03	Three Rivers	6 00									293 40	393 60
No. 6 "	June 7-18, '04	London						20	10	8	141 00	375 00	523 80

No. 7 "	June 14-25, '04	Niagara	10 00					21	2	9	114 00	373 56	497 56
No. 8 "	Oct., 1903	Local headqtrs										293 15	293 15
Total Army Med. Corps.			82 00	51 57		63 15	60 00	129	48	54	867 90	5,237 18	6,528 40
Corps of Guides	June 14-25, '04	Niagara						7			16 20	275 22	305 07
Perm. Forces	1903-4	Various camps										4,911 28	4,911 28
							Extra pay for markers						
London Camp Staff	June 7-18, '04						113 25					1,263 10	1,380 20
Niagara "	June 14-25, '04						160 80			3	20 00	1,421 94	1,604 11
Barriefield "	June 23-July 4, '03						28 00					1,383 24	1,411 24
Rockliffe "	June 20-July 2, '04						88 75		1	6	44 20	1,331 70	1,464 65
Three Rivers "	June 30-July 11, '03											1,807 43	1,807 43
Sussex "	Sept. 15-26, '03						46 25					1,103 54	1,156 69
Aldershot "	" '03						67 50					1,240 88	1,308 38
Charlottetown "	June 30-July 11, '03											366 70	366 70
							504 55		1	9	64 20	9,918 53	10,499 43

APPENDIX C—*Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4—*Continued.*

(The following Corps were paid twice in 1903-4, the payments hereunder being for previous year's training.)

Corps.	Date of Training.	Where Trained.	Establishment.				Numbers Trained.				Allowances.			
			Officers.	N.C.O.	Men.	Horses.	Officers.	N.C.O.	Men.	Horses.	Rations.	Forage.	Marching.	Baggage Transport.
											$ cts.	$ cts.	$ cts.	$ cts.
10th Q. O. C. Hussars	May, 1903	Lévis	....	....	....	....	15	30	130	161	437 50	563 50	.....	.....
Can. Mtd. Rifles	June, 1903	Virden	.....	....	....	....	17	57	184	258	786 75	1,088 50	.....	32 50
P. L. D. Guards	June 23-July 4, '03	Ottawa	.....	....	....	....	16	30	133	161	537 00	676 20	.....	24 30
2nd Field Battery	June, 1903	Deseronto	.....	....	....	....	7	23	73	55	38 25	32 55	.....	13 10
13th "	July, 1903	Winnipeg	.....	....	....	....	7	22	75	55	315 75	244 30	.....	13 10
Toronto Engineer Co	November, 1903	Local H'dquarters.	.....	....	....	....	3	12	53	....	.....	.....	.....	.....
6th Regt. Infantry	May, 1903	"	....	....	....	....	24	44	210	4	.....	.....	.....	.....
8th "	"	"	.....	....	....	....	21	51	244	4	.....	.....	.....	.....
9th "	"	"	.....	.....	.....	....	24	51	281	3	.....	.....	.....	.....
24th "	1902-3	"	.....	....	....	....	16	32	129	4	.....	.....	.....	.....
56th "	July, 1903	Barriefield	....	....	.....	..	23	51	96	6	49 75	2 10	79 80	17 00
59th "	"	"	.....	....	.....	.....	17	54	115	4	58 80	1 40	25 56	21 30
86th "	"	Local H'dquarters.	.....	....	....	.....	16	30	105	1	.....	.....	.....	.....
90th "	"	"	.....	....	.....	.....	27	56	209	.....	.....	.....	.....	.....
8th Field Battery	"	"	.....	....	.....	.....	2	7	14	.....	72 00	.....	.....	3 10
Small payments to sundry Corps on account of drill, 1902-3	.....	.....	.....	.....	.....	.....								
			.....	.....	.....	.....	235	550	2,051	716	2,295 80	2,608 55	105 36	124 40

APPENDIX C—*Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4—*Continued.*

(The following Corps were paid twice in 1903-4, the payments hereunder being for previous year's training.)

Corps.	Date of Training.	Where Trained.	Allowances.					Efficiency Pay.				Ordinary Pay. Amount.	Total Pay and Allowances
			Camp Tins.	Veterinary.	Wagon.	Diets.	Ambulance.	Nos. 1st Year.	Nos. 2nd Year.	Nos. 3rd Year.	Amount		
			$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.	$ cts.	$ cts.
10th Q. O. C. Hussars	May, 1903	Lévis		40 00	12 00							3,355 22	4,108 22
Canadian Mounted Rifles	June, 1903	Virden	36 00		132 00							4,970 16	7,045 96
P. L. D. Guards	June 23-July 4, '03	Ottawa	20 00									3,394 92	4,652 42
2nd Field Battery	June, 1903	Deseronto	10 00	15 00								1,618 67	1,727 57
13th "	July, 1903	Winnipeg	10 00									1,581 52	2,164 67
Toronto Engineer Co	November, 1903	Local H'dquarters.			40 00							496 52	536 52
6th Regt. Infantry	May, 1903	"										2,137 21	2,137 21
8th "	"	"										2,553 36	2,553 36
9th "	"	"										2,810 57	2,810 57
24th "	1902-3	"										1,480 48	1,480 48
56th "	July, 1903	Barriefield	48 00									1,866 30	2,062 95
59th "	"	"	48 00									1,794 01	1,949 07
86th "	"	Local H'dquarters.										1,269 72	1,269 72
90th "	"	"										2,421 11	2,421 11
8th Field Battery	"	"	6 00									194 90	276 00
Small payments to sundry Corps on account of drill, 1902-3												110 25	110
			178 00	55 00	184 00							32,054 92	37,606

APPENDIX C—*Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4—*Continued.*

SUMMARY.

Corps.	Date of Training.	Where Trained.	Establishment.				Numbers Trained.				Allowances.			
			Officers.	N.C.O.	Men.	Horses.	Officers.	N.C.O.	Men.	Horses.	Rations.	Forage.	Marching.	Baggage Transport.
											$ cts.	$ cts.	$ cts.	$ cts.
Cavalry			443	803	3,155	1,028	295	756	2,707	3,391	2,495 13	3,169 25	1,572 38	383 00
Field Batteries			91	336	1,106	875	93	392	897	810	2,635 05	2,285 83	82 68	134 30
Garrison Artillery			138	342	1,749	21	119	290	1,401	14	1,916 60	12 60	78 40	34 90
Engineers			30	76	405		20	79	226	10	27 50	3 15	19 20	
Infantry			2,783	5,685	24,371	318	1,761	4,891	15,718	311	4,022 52	86 95	3,197 52	1,215 50
Army Service Corps			20	100	304	380	10	76	130	94	37 30	5 60		14 50
Army Medical Corps			51	274	363	8	40	167	348	34	59 00	53 60		54 00
Corps of Guides			11		7	6	11		7	6	5 00	2 45		6 20
Permanent Corps														
Divisional Staffs							98	78	11	73				12 15
Add Corps that drilled twice as per statement attached			3,567	7,516	31,460	5,636	2,447	6,729	21,445	4,743	11,198 10	5,619 43	4,950 18	1,854 55
							235	550	2,051	716	2,295 80	2,608 55	105 36	124 40
			3,567	7,216	31,460	5,636	2,682	7,279	23,496	5,459	13,493 90	8,227 98	5,055 54	1,978 95

APPENDIX C—*Continued.*

STATEMENT of Corps performing Annual Drill paid out of Fiscal Year 1903-4 *Concluded.*

SUMMARY.

Corps.	Date of Training.	Where Trained.	Allowances.					Efficiency Pay.				Ordinary Pay. Amount.	Total Pay and Allowances
			Camp Tns.	Veterinary.	Wagon.	Diets.	Ambulance.	Nos. 1st Year.	Nos. 2nd Year.	Nos. 3rd Year.	Amount		
			$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.	$ cts.	$ cts.
Cavalry			476 00	686 32	156 00	.....	.....	985	284	374	5,987 80	72,128 71	87,054 59
Field Batteries			130 00	131 20	12 00	.....	.....	334	91	265	3,064 20	21,825 12	30,290 38
Garrison Artillery			36 00	.....	.....	.....	.....	.....	.....	.....	.....	15,861 04	17,939 54
Engineers			16 00	.....	.....	.....	.....	29	4	9	134 70	2,835 13	3,035 68
Infantry			2,340 00	15 00	.....	.....	.....	3,548	780	1,815	22,953 80	195,515 37	229,346 66
Army Service Corps			50 00	.....	58 00	.....	.....	75	12	8	347 90	3,885 38	4,398 68
Army Medical Corps			82 00	51 57	.....	63 15	60 00	129	48	54	867 90	5,237 18	6,528 40
Corps of Guides			.....	.....	.....	.....	.....	7	..	..	16 20	275 22	305 07
Permanent Corps			.....	.....	.....	.....	.....	.....	.....	.....	.....	4,911 28	4,911 28
Divisional Staffs			.....	..	.....	.....	504 55	*	1	9	64 20	9,918 53	10,499 43
Add Corps that drilled twice as per statement attached			3,130 00	884 09	226 00	63 15	564 55	5,107	1,220	2,534	33,436 70	332,392 96	394,309 71
			178 00	55 00	184 00	.....	.....	.....	.....	.....	.....	32,054 92	37,606 03
			3,308 00	939 09	410 00	63 15	564 55	5,107	1,220	2,534	33,436 70	364,447 88	431,915 74

Pay and allowances	$ 431,915 74
Transport, travelling expenses and freight	77,634 62
Supplies and other expenses at various camps	52,675 19
Total, annual drill	562,225 55

* Markers' pay.

NOTE. The N. C. O. include corporals and bom' ardiers. Corps marked (A) received the allowance in lieu of rations and forage for the entire 12 days.

Certified correct,

J. W. BORDEN,

Accountant.

APPENDIX D.

REPORT OF SUPERINTENDENT, DOMINION ARSENAL.

QUEBEC, December 23, 1904.

The Deputy Minister of
Militia and Defence.

SIR,—I have the honour to report as follows upon the operations of this establishment for the fiscal year ended June 30, 1904.

CARTRIDGE FACTORY.

The plant of this Factory has been completely re-arranged with a view to facilitating the handling of work between successive operations. The bullet machinery has been placed in one department, and it is found that beneficial results have been obtained from these changes.

The increase in velocity of '303" cartridges introduced last year, has improved the accuracy of shooting, but the additional pressure caused in some cases an escape of gas or 'blowback' around the cap chamber.

Complaints regarding this defect have been received from various sources and steps are being taken to apply a remedy with the least possible delay.

The question of modifying our present cartridge to give greater accuracy for target shooting is being considered. The problem is a complicated one, and requires careful attention.

The regulations regarding the return of fired-cartridge cases have on the whole been satisfactory, and these cases are now being received in larger quantities.

It has been decided to abandon black powder for loading gallery practice cartridges and to adopt smokeless powder giving greater accuracy. The bullet of this cartridge is being altered in design, and the experiments made so far, appear promising. Attention has been given to the obtaining of the most suitable brand of steel for making punches and dies, and other tools employed in the manufacture of cartridges. It has been decided to abandon the forgings hitherto used, and to substitute bar steel rolled to nearest suitable dimensions. This steel is annealed and it is found that considerable expense is saved in machining. An automatic six spindle gang drill has been purchased, on which nearly all our dies are made; this machine can be operated by unskilled labour, and together with the use of high-speed tool steel, has enabled us to reduce the cost of die-making to one-fourth of the former price. Improvements are being worked out by which a further reduction will be effected. These operations are paid by the piece, and although a reduction in cost has been made, the workmen's wages have not been diminished.

Difficulties have been experienced in the annealing of metal strip manufactured in the Rolling Mill, necessitating very close supervision and rigid examination.

This operation is most delicate and of considerable importance, affecting as it does the character of the entire output.

It is proposed to modify the construction of the furnaces in use as soon as they require sufficiently extensive repairs, and to substitute a pattern that will give more uniform heat. In connection with this process, it will be advisable to employ a recording pyrometer to determine the exact temperature and time the metal has been under treatment. An instrumnt of this description, although expensive, will pay for itself in reducing rejections of defective material in manufacture.

Our processes have been amended to manufacture cartridges of the latest pattern approved by the Imperial War Office.

SHELL FACTORY.

The manufacture of shell projectiles is being proceeded with as rapidly as circumstances will permit. There are many difficulties, incidental to the operation of a new plant, that had to be overcome, and it is hoped that rapid progress will henceforth be made. The operatives are being trained, and to ensure the greatest efficiency are kept entirely on one class of work. It is proposed to purchase a few additional machines to slightly increase the capacity of this department.

ARTILLERY WORKSHOP.

The installation of machinery in this factory was completed during the year. It was formerly the custom for each factory to do its own repairs. This has been changed, by concentrating all repair work, building of new machines, or alterations thereto, in one workshop, with marked benefit and economy throughout the entire works.

Breakdowns are attended to more promptly and the condition of the plant has vastly improved since this system was adopted.

A tool-room has also been established for the manufacture of small tools and gauges on the same principle

This department is in charge of Mr. W. O. Hammant, Mechanical Engineer, who has control of all machinery, and who performs his arduous duties in a most capable manner.

Facilities are now available for all manufacture and repair work required in connection with the armament of the artillery.

MAINTENANCE AND REPAIRS.

In consequence of the extensive repairs made during the last few years, it was impossible to greatly reduce the expenditure under this head.

The following work has been performed:—

Office building : Repairs to doors and windows.
Cartridge Factory : Repairs to spouting.
Shell Factory and Foundry : Repairs to skylight and spouting.
Laboratory : Repairs to watchman's quarters and other minor work.
Fulminate buildings : Repairs to gates, boiler-room and fence.
Officers' Quarters: Painting and repairs to clapboarding.
Extension to Asst. Superintendent's quarters.
Repairs to Superintendent's quarters.
General : New drain in yard. Repairs to W.C. Whitewash boiler-room.

INSPECTION OF SMALL ARMS.

The programme of organization outlined in last year's report has been carried out. The required chemical and physical tests of material have been performed, entailing a considerable amount of work.

Our chemist, Mr. A. E. MacIntyre Ph. D., has rendered valuable assistance in connection with these investigations. The gauges required were incomplete at the end of the fiscal year, although a number had been manufactured.

GENERAL.

In view of the greater cost of living, an increase of 10 per cent in wages was granted to the foremen and employees.

Complete specifications have been provided, covering quality of all materials employed in manufacture, and all purchases are subject to prescribed inspection, thus precluding any possibility of loss through inferior or defective material. The inspection usually includes chemical analysis. The machine for testing metals purchased from Sir W. G. Armstrong, Whitworth & Co., has proved of great value, and is considered indispensable for the class of work we have to do.

High-speed tool steel is being introduced in all our departments, with the least possible delay ; it is expected that substantial savings will result therefrom.

Our stock of materials has been considerably increased, thus avoiding delay and additional cost incidental to small purchases. We are in most urgent need of additional storage and it is hoped that the money voted last year to the Department of Public Works, for the erection of a new store, may be utilized as rapidly as possible.

The following machines were purchased during the year :—1 lap lathe, 1 vertical metal testing machine, 1¼-inch rotary pump, 4 bench grinders, 1 portable crane, 1 20-inch gang drill, 1 drying out machine, 1 jib crane.

Attention is being given to the improvement of our system of keeping cost accounts with the object of obtaining accurate records and checking waste, before it is too late. The importance of this work as a factor in the successful business administration of industrial establishments, cannot be underestimated.

The staff and clerks have performed their duties in a satisfactory manner.

STATEMENT OF STORES MANUFACTURED, REPAIRED AND ALTERED DURING THE YEAR 1903-4.

Cartridges, small arm, ball, ·303″ black powder, gallery practice, mark I.	805,000
Cartridges, small arm, ball, ·303″ cordite, mark II. . . .	5,318,500
Cartridges, R.B.L. empty, serge, 6 pr., 12 oz.	500
Cartridges filled, B.L. 5″ Howitzer, 11 7/16 oz. cordite size 3¾, mark III.	500
Cartridges, R.M.L. empty silk cloth, 9-pr. 1 lb.	2,500
Cartridges, small arm, blank, cordite, without bullet, mark V.	228,800
Shells, R.B.L., empty shrapnel, 40-pr.	1,006
Shells, R.B.L., empty common, 40-pr.	820
Plugs, fuze hole, G.S., without loop, mark I.	1,826

In addition to ammunition manufactured as above, large numbers of ammunition boxes and other stores were manufactured, and many carriages, limbers and other articles were altered or repaired.

I have the honour to be, sir,
Your obedient servant,

F. M. GAUDET, Lieutenant-Colonel,
Superintendent, Dominion Arsenal.

PART II.

REPORT

OF THE

GENERAL OFFICER COMMANDING

From January 1, 1904, until November 17, 1904

(The date of the constitution of the Military Council)

ALSO THE REPORTS OF THE

ADJUTANT-GENERAL (*with Appendices*),

THE QUARTERMASTER-GENERAL.

THE DIRECTOR GENERAL OF THE ORDNANCE (*with Appendices.*)

THE DIRECTOR GENERAL OF THE MEDICAL SERVICES, (*with Appendices*),

THE DIRECTOR OF INTELLIGENCE, AND

THE DIRECTOR OF ENGINEER SERVICES

On the Work of their respective branches for the year 1904;

ALSO

THE REPORT OF THE CHIEF OF THE GENERAL STAFF, ON THE ORGANIZATION OF THE MILITIA COUNCIL.

REPORT OF THE GENERAL OFFICER COMMANDING, FROM JANUARY 1, 1904, UNTIL NOVEMBER 17, 1904, THE DATE OF THE CONSTITUTION OF THE MILITIA COUNCIL.

OTTAWA, November 30, 1904.

From the Officer
Commanding the Militia,
To the Honourable the Minister of
Militia and Defence.

SIR,—I have the honour to make the following report upon the state of the Militia, as far as I have had an opportunity of judging of it, from the time when I took over the duties of Officer Commanding, namely : June 15 last, until the 17th instant, the date of the constitution of the Militia Council.

DIVISIONAL CAMPS.

Immediately previous to my temporary appointment, the General Officer lately Commanding, the Earl of Dundonald, C.V.O., C.B., inspected the camp of Military District No. 1, at London, and I find from returns received from the District Officer Commanding, that the inspection differed but little from that of the last few years and, in the main, was satisfactory.

With regard to the camp held at Three Rivers, where I found it impossible to be present, I regret that the report of the inspecting-officer upon the infantry regiments is not very favourable, but it is expected that this will be remedied next year. The 83rd and 85th regiments proved exceptions, and were favourably reported upon.

I was also unable to reach Charlottetown, P.E.I., but from my experience of last year, and the reports of the District Officer Commanding military district No. 12, for this year, I feel satisfied that good work was performed by all ranks, and that No. 12 district continues to be as efficient as any.

On the retirement of Major General, the Earl of Dundonald, from the command of the militia, I made the inspections of corps in their respective camps of instruction, upon the following dates, namely :—

In Military District No. 2—June 22, 1904.
" No. 3—June 30, 1904.
" No. 4—June 28, 1904.
" No. 7—July 6, 1904.
" No. 8—July 7, 1904.
" No. 9—September 22, 1904.

I also inspected the combined camp of instruction for cavalry and artillery in military district No. 6, at Laprairie, on July 5, and visited, for one day, the instructional and competitive gun practice for the Canadian Garrison Artillery, at the Island of Orleans, on September 2, last.

For some particular reason, no doubt, the majority of the camps of instruction were assembled at dates not far enough apart to allow of reasonable time being given an inspecting-officer to make an exhaustive inspection; I would, therefore, recommend that this mistake may be avoided in future, by allowing the district officers commanding to decide upon the dates, subject to slight modification at headquarters. The dates of training should be fixed in General Orders, each year, not later than March 31.

CAMP LOCATIONS.

The camp locations, or training grounds, provided for the rural militia, are probably as conveniently situated, for all practical purposes, in each militia district, except No. 2, as it is possible to locate them, and, taking one with another, are as suitable for the limited training that can be given in the prescribed twelve days, as any ground that might be found within the respective districts: the chief objection to certain of them being that they have not that most essential adjunct, a rifle range, and, in the case of Laprairie, the ground should be drained. At Lévis, the road to the camp requires to be repaired.

Where the camping grounds, as at London, are found to be too limited to accommodate the whole force of the district, the training can be divided, one training to immediately succeed the other, as was done in former years, at very little increased expense to the public. Of course for more extended training and instruction, the Central Camp, proposed, will eventually provide that requirement.

CAMP EQUIPMENT.

The camp equipment appeared to be ample and most satisfactory, although there were a number of unserviceable tents issued that might well be condemned, as they were not fit even for the purpose for which they were issued ; namely, as bathing tents. The issue of waterproofs and blankets, being most liberal, was greatly appreciated by all ranks, as the comfort of troops under canvas depends greatly upon the supply of their night covering.

Great care should be taken by those responsible that complete tentage is supplied in time to be taken over by regimental quartermasters before the troops arrive upon the camping grounds.

RIFLE RANGES AND MUSKETRY TRAINING.

Of the six camps I visited, two only were furnished with suitable and safe ranges for this year's practice. The other four derived some benefit from the miniature practice, but I am sure that were greater efforts made by the responsible staff, sufficiently safe and suitable ranges could be provided at all permanent camps, no doubt entailing, in some instances, expenditure somewhat in excess of the ordinary amount, which, to my mind, is a decidedly minor consideration when it goes without saying that to assemble a force, armed with a rifle, for twelve days, at great expense to the public, and fail to give it the full benefit of firing the service ammunition at the ranges, where they would learn the practical use of their weapons, involves a serious waste of public money.

I can nowhere find that judging-distance practice was carried out. The sights on rifles are marked off in yards, and while the rural population of Canada can tell one fairly accurately how many 'rods' or how many 'arpents' it is, within visible distance, from one place to another, they become nonplussed when asked to give the distance in yards, as marked upon the sight of a rifle. The School of Musketry is doing all possible to remedy this, but then the school only reaches those who attend its courses.

There is practically no regimental instructional staff specifically detailed for musketry, and the divisional staff is inadequate to carry out the preliminary training of corps in camp, therefore, this most important branch of instruction is seriously neglected or left only half done—not even half done.

I would advise that each cavalry, garrison artillery and infantry regiment be allotted an instructor and a sergeant-instructor of musketry with an increased daily rate of pay. There are now many qualified officers and non-commissioned officers available, and the present regimental establishments might supply this staff without interfering with the ordinary regimental efficiency.

To encourage greater interest and proficiency in musketry among non-commissioned officers and men of all branches of the service, I would also recommend that a small money compensation be awarded those who reach a prescribed standard of efficiency as marksmen, and, if proficiency in judging-distance were included to complete the prescribed standard, all the better.

COOKING RANGES.

Some uniform system should be inaugurated with proper cooking ranges and a N.C.O. staff, one qualified sergeant-cook per regiment, at least, authorized.

Corps coming from the lumbering districts bring 'shanty' cooks with them who are accustomed to an unlimited supply of wood; they, therefore, build huge fires and do the cooking in pots suspended from poles hung over the fires, the waste of wood is, consequently, very great, but it saves the cooks the trouble of cutting and splitting.

In many of the camps, there were satisfactory systems provided, at the expense of the regimental officers, however, as the present allowance is inadequate to maintain an improved system. Now that the best of food is supplied, it should not be spoiled in the cooking for lack of proper stoves, or ranges, or supervision.

LATRINES.

The canvas latrines are not popular with the troops. They do not altogether take the place of wooden structures, more particularly those having a roof as a protection against wet weather. If, however, wooden structures cannot be provided, whatever substitute is provided should be available for location by the several camp staffs well in advance of the arrival of any troops.

WATER SUPPLY.

The supply of water for drinking purposes is of the greatest importance. The rural population are ardent water-drinkers, the department should, therefore, be well assured that abundance of pure water is supplied each camp, through pipes. Any other way of delivering it is objectionable, and dangerous to health.

The supply at Barriefield was 'dirty,' that at Laprairie and Lévis not satisfactory, all of which might easily be remedied at no very great public expense.

At Laprairie, water pipes should be laid from the town through the camp; and at Lévis from the natural spring, near by, through the camp and to the Engineer huts, as well.

RATIONS AND FORAGE.

The rations especially appear to have been excellent, and many of the cooks, whom I questioned regarding them, were quite enthusiastic in their expressions. The exception was at Niagara where the action of the contractor for forage, meat and groceries was not satisfactory.

There were a few instances where the contractors commenced by 'trying it on,' during the first day or two of camp, but they were very soon set right, and issues then became satisfactory. This might be obviated by retaining the satisfactory contractors, from year to year.

It would be well if the baking and slaughtering were done by the Army Service Corps, as their operations proved eminently satisfactory in the camps where this corps provided the bread and meat.

I would also recommend that they be supplied with travelling bakeries, such as are used in the Imperial service, as they can be moved quickly and, in fact, baking can be done while they are being transported from one point to another. They would, obviously, be of great use in time of war.

Buildings should be erected on all camp grounds from which rations could be distributed, and in every way facilities for this corps to do their work should be provided.

MEDICAL.

This service was admirably administered by the medical department. The field hospitals should be allowed to provide the diets for detained non-commissioned officers and men. The present system is objectionable and unsatisfactory.

A complete supply of cots should be provided each hospital, to avoid men having to lie on the ground when undergoing treatment.

A marquee should be supplied each hospital company, as a dining place for the rank and file, and as a lecture room for the officers.

VETERINARY.

It is the duty of veterinary-officers to see that the horses brought to camp are fit to take the field and to do the work expected of them, whether for mounted or draught duties. Many of those I inspected this year were not of as high a standard as they should have been, which may be partly accounted for from the following facts: that the owners of good horses will not risk the exposure on the horse lines; the limited compensation, in case of injury to an occasional very valuable animal; and the delay in receiving compensation for injuries, through returns not being properly submitted to headquarters for settlement. Horses are sometimes injured on the picketing lines more from carelessness than from defectiveness in the head and heel ropes provided, although complaints are constantly being made in regard to these ropes.

No doubt the system of stabling should prevail, as at Lévis, Sussex and Aldershot, N.S., although the stables built at Aldershot require some slight alterations.

Some better system of shoeing should be adopted, nothing could be worse than having to depend upon local smiths for this service. The Inspector of Cavalry recommends that field forges, at the rate of one per 500 horses, be issued to troops undergoing the annual training, in camp, the forges to be taken into store at the end of the training. I cannot suggest a better solution of this question.

The Army Service Corps might well undertake this work, as is done in the Imperial service; they would also be available for making general repairs within the camp.

'CITY CORPS.'

The 'City Corps' are regarded as the first line of Canadian defence, and I may add that there is every justification for so regarding them. It is only reasonable to suppose that they are more easily organized, officered and trained than their sister corps of the rural districts, and in the case of sudden emergency, are more readily mobilized, and equipped to take the field at short notice.

It is surprising how effectively these corps keep up their establishments of non-commissioned officers and men, the shortage chiefly being found among the officers who find it difficult to leave their headquarters to qualify at the military schools, to sacrifice so much time from their ordinary business, and to keep up, in many instances, most expensive uniforms and kits. Their bands are excellent. Their interior economy appears to be satisfactory, but I believe that the numbers of officers might be added to and their burdens lessened were the expenses met by increasing the regimental allowances, as these latter are funded for the up-keeping of the respective regiments or units, than at present have largely to be provided for out of the pockets of the officers.

FIELD ARTILLERY.

The Field Artillery trained as follows:—

Militia District.	Corps.	Place.	Date.
No. 1	1st Brigade F. A. 11th Field Battery 16th " "	Guelph	June 20.
No. 2	2nd Brigade F. A. 4th Field Battery 7th " " 9th " "	Niagara	" 14.
No. 3	5th Field Battery	Barriefield	" 28.
	14th " "	Cobourg	" 21.
No. 4	2nd Field Battery	Ottawa	" 21.
	8th " "	Barriefield	" 28.
No. 5	3rd Field Battery	St. Helen's Island	" 21.
No. 6	15th Field Battery	Laprairie	" 28.
No. 7	1st Field Battery	Levis	" 28.
No. 8	10th Field Battery	Woodstock, N. B.	" 20.
	12th " "	Newcastle, N. B.	" 27.
No. 9	17th Field Battery	Sydney, C. B.	Aug. 30.
No. 10	13th Field Battery	Winnipeg	July. 5.

As will be seen by the foregoing table, the majority of the field batteries were trained at or near local headquarters as the facilities for varying the training and practice at Deseronto were not considered sufficiently good to warrant the concentration of the force there.

It was hoped that a larger and more suitable training and practice area would be available for practice in the Fall, but, through unforeseen circumstances, such a tract of ground could not be secured in time. The practice of the field artillery had, therefore, to be postponed.

The following table shows the General Efficiency of the Field Batteries of the Dominion. The 14th Field Battery is to be congratulated on winning the prize presented by His Excellency the Governor General, for general efficiency.

Field Batteries, General Efficiency Return, 1904.—The following return shows

Battery.	Commanding.	Harnessing.	Riding and Driving.	Battery Drill.	Gun Laying.	Battery Manœuvres.*	Section Gun Drill.*	Fire Discipline.*	Fire Effect.*				
									B.C.'s Observation.	Accuracy in Ranging.	Effectiveness of Time Shell.	No. of Dummies disabled per 5 minutes in action.	Officers' Observation of Fire.*
	Full Marks	30	30	30	60								
1st 'Quebec'	Major E. Laliberté	18	15	15	25·6								
2nd 'Ottawa'	" E. C. Arnoldi	24	24	21	36								
3rd 'Montreal'	Captain A. D. Redford	24	25	20	34·4								
4th 'Hamilton'	Major W. O. Lidswell	24	24	21	41·5								
5th 'Kingston'	" E. W. Rathbun	22	19	25	44·9								
7th 'St. Catharines'	Captain W. H. Singer	18	21	18	26·2	Competitive Practice postponed.							
8th 'Gananoque'	Major J. R. Robinson	24	19	19	38·7								
9th 'Toronto'	Captain E. W. Grier	24	15	21	39·4								
10th 'Woodstock'	Major W. C. Wood	20	20	15	29·1								
11th 'Guelph'	" H. D. Merewether	21	21	21	46·3								
12th 'Newcastle'	Lt.-Colonel R. L. Maltby	15	20	21	40·3								
13th 'Winnipeg'	Major L. J. O. Ducharme	15	24	24	33·6								
14th 'Midland'	Lt.-Col. N. F. MacNachtan	24	21	21	38·9								
15th 'Shefford'	Major W. R. Seale	18	21	18	44								
16th 'Guelph'	Captain F. C. K. Harrison	21	21	24	44·3								
17th 'Sydney'	Major W. Crowe	15	15	10	52·1								

* Marks to be awarded at competitive practice.

NOTE.—1 mark to be deducted from total for each N.C.O. or man absent from annual training.

the general efficiency of the Field Batteries, C.A., inspected during the year 1904.

Questions.				Condition of Stores.						Ammunition Expended.			
										Shell.			
Officers.	N.C.O's.	Discipline and Administration during Training.	Accountantship of Battery Equipment.	Guns.	Carriages.	Harness.	Absentees—N.C.O's and Men.	Total.	Officers absent.	Common.	Shrapnels.	Shot—Case.	Remarks of Inspecting Officer and date of Inspection.
50	50	40	40	20	20	20		390					
28	44	25	20	18	20	20	4	244·6	....	....	...	...	
46	47	35	40	18	18	18	Nil.	327	....	...	...	..	1 Captain acting on staff.
46	44	35	20	19	18	18	16	287·4	....	....	....	....	1 " " "
36	41	20	38	17	16	15	24	269·5	..	....	....	....	
50	41	35	38	12	15	18	2	320·9	...	..	...	....	
10	22	30	20	17	18	15	35	180·2	1	..	...	....	1 Officer on leave.
25	40	34	40	19	19	17	23	271·7	....	....	....	....	
48	30	25	5	15	10	15	13	234·4	1	....	....	...	1 Officer on leave.
39	46	25	0	5	10	6	6	210·1	....	....	..	....	
45	34	30	35	18	18	16	Nil.	305·3	...	...	....	..	
33	44	20	10	15	15	12	19	226·3	....	....	...	....	
33	33	30	35	18	18	17	Nil.	280·6	1	..	....	....	1 Officer on leave.
46	48	35	40	20	20	20	1	332·9	....	....	....	..	
45	43	20	30	18	18	15	15	275	....	....	....	....	
28	48	28	32	18	18	15	10	287·3	1	....	...	....	1 Officer on leave.
42	45	32	30	18	18	20	6	290.1	...	....	...	....	

Attention is invited to the urgent necessity for increasing the strength of the field artillery which is at present absolutely inadequate for a force of the total strength of the militia.

The batteries should be brigaded and provision made for an ammunition column for each brigade.

GARRISON ARTILLERY.

The various Garrison Artillery units carried out their annual training as below:—

1st Regiment, C.A.,—

1st Division, at Halifax, N.S.

2nd Division, at Halifax, N.S.

2nd Regiment, C.A., at Montreal, P.Q.

3rd Regiment, C.A., at St. John, N.B.

4th Regiment, C.A., at Charlottetown, P.E.I.

5th Regiment, C.A., at Esquimalt, B.C.

6th Regiment, C.A., at Quebec, P.Q.

Cobourg Company, at Cobourg, Ont.

With the exception of the 5th regiment all the above units were inspected by the Inspector of Garrison Artillery, or officers for him, who reported as follows :—

1st Regiment, C.A.—1st Division. A marked improvement. 2nd Division. Smart and well up in their work.

Trained in camp at York Redoubt from June 21 to July 2 under R. A. instructors.

Competitive practice was carried out with R.B.L. guns and was reported to be good.

Part of the division took part in the annual mobilization of the Halifax Garrison.

The Inspector of Garrison Artillery recommends that this regiment compete at gun practice with other artillery units, but as it is allotted to the Halifax defences and is therefore placed under the G.O.C., the troops there for training, &c., such a change is not recommended.

They should continue to be trained in conjunction with the R.G.A. at Halifax under the C.R.A's. supervision, and carry out their practice with the guns they should be required to man in time of war.

What might be done, however, would be an allotment of marks for all gun practice, so arranged as to enable this unit to compete with others for prizes.

2nd Regiment, C.A.—Inspected by Lieutenant-Colonel A. A. Farley, for the Inspector of Garrison Artillery, and reported as smart and efficient.

3rd Regiment, C.A.—Inspected by Lieutenant-Colonel Benson and reported smart and efficient.

4th Regiment, C.A.—Inspected at Charlottetown. Passed a very satisfactory inspection.

5th Regiment, C.A.—Inspected by the officer commanding Royal Artillery, Esquimalt.

As this unit is allotted to the Esquimalt defences, its training and gun practice are carried out under the supervision of the C.R.A. there.

6th Regiment, C.A.—Inspected by Inspector of Garrison Artillery, who reports a great improvement in this regiment.

Cobourg Company.—Inspected at Cobourg. Reported smart, energetic and well up in their work.

With regard to practice, the 1st regiment, C.A., carried out its practice at Halifax, under the supervision of the C.R.A. The results, on the whole, were very satisfactory and a good deal above the usual standard of auxiliary forces, great keenness being shown by all ranks.

The 2nd Regiment, C.A., carried out practice with 40-pr. R.B.L. guns, at Isle of Orleans.

The 3rd and 4th regiments, C.A., practised at St. John, N.B., with 6 and 12-pr. light quick-firers.

The 5th regiment, C.A., at Esquimalt, practised with 13-pr. R.M.L. guns. Results reported satisfactory, except as regards time, and with 6-in. B.L. guns at a towed target, on which the C.R.A. reports as follows :—

Practice carried out under bad weather conditions—owing to its being impossible to postpone it on account of militia conditions.

Great trouble from smoke.

Detachments were slow, but partly accounted for by darkness of gun pits.

In the second series the B.C. was very slow

Arrangements for time keeping and recording elevation were left to O.C. 5th regiment. Time keepers failed entirely, and judging by results, C.R.A. doubts the correctness of the entries in the report.

The 6th regiment, C.A., practised at Isle of Orleans with 40-pr. R.B.L. guns.

The Cobourg company practised at Isle of Orleans with 40-pr. R.B.L. guns.

The inspector of garrison artillery reports respecting gun practice of the 3rd and 4th regiments, C.A., at St. John, that it was not up to that of last year, and advocated more instruction and more practice.

He also recommended a better range than that at St. John, if available. Also better arrangements for towing targets so as to get higher speed.

Regarding the practice at the Isle of Orleans, he reports it on a par with that of other years at this place and thinks it should have shown better results. He attributes this to the lateness in the season of holding the practice and want of zeal due to disappointment in not having better guns to shoot with than 40-prs.

He recommends a central practice camp for all garrison artillery, if such can be found.

ANNUAL GUN PRACTICE, GARRISON ARTILLERY.

The following are the results of the service and competitive practice of the garrison artillery (with the exception of the 1st and 5th regts.) for 1904, with light quick-firing guns.—At St. John, N.B. 6-pr.

Regiment.	Company.	Height of work.	Number and nature of guns.	Average range.	Possible hits per gun per minute.	Time of series in minutes.	Hits obtained.	Hits per gun per minute obtained.	Figure of effect.	Deduction for bad fire discipline and penalties.	Figure of merit.	G.G.C.
R.C.G.A.	No. 2	80	2	1600	13	2	9	2·25	·173	·012	·161	Lt. Heward.
"	No. 1	"	"	1700	12·5	2	8	2·	·16	·014	·146	Capt. Wilkie.
3rd	No. 1	"	"	1800	12	2	8	2·	·166	·03	·136	" Robinson.
4th	No. 4	"	"	1600	13	2	7	1·75	·134	·052	·082	Lt. Garnhum.
"	No. 6	"	"	1600	13	1·48	4	1·35	·103	·032	·071	" Sterns.
"	No. 2	"	"	1600	13	1·85	5	1·35	·103	·034	·069	" Bethune.
3rd	No. 3	"	"	1500	13·3	2	5	1·25	·093	·046	·047	" Vassie.
4th	No. 3	"	"	1600	13	1·91	4	1·04	·08	·038	·042	" Jordan.
3rd	No. 4	"	"	1400	14·9	1·58	2	·63	·042	·01	·032	" Smith.
4th	No. 1	"	"	1800	12	2	1	·25	·02	·028	·008	Capt. Bartlett.
3rd	No. 2	"	"	1400	14·9	2	2	·5	·033	·052	·019	Lt. Mosher.
4th	No. 5	"	"	1600	13		1	Disqualified.				Capt. Johnston.
					12–pr.							
R.C.G.A.	No. 1	80	2	1600	11·2	1·43	9	3·14	·28	·01	·27	Capt. Ogilvie.
4th	No. 2	"	"	1400	11·5	1·33	9	3·38	·293	·03	·263	Lt. Dawson.
"	No. 3	"	"	1600	11·2	1·68	5	1·48	·132	·02	·112	Capt. McKinnon
"	No. 1	"	"	1600	11·2	2	6	1·5	·133	·022	·111	" Prowse.
3rd	No. 2	"	"	1300	12	2	4	1·	·083	·02	·063	" Drake.
4th	No. 5	"	"	1700	11	1·75	4	1·14	·103	·052	·051	Lt. Robertson.
3rd	No. 1	"	"	1700	11	2	3	·75	·068	·02	·048	" Harrison.
R.C.G.A.	No. 2	"	"	1500	11·5	1·75	3	·85	·073	·026	·047	" Almon.
3rd	No. 4	"	"	1800	10·7	1·55	2	·64	·059	·03	·029	" Robertson.
4th	No. 6	"	"	1800	10·7	1·58	2	·63	·058	·034	·024	" Sterns.
"	No. 4	"	"	1600	11·2	2	2	·5	·044	·052	·008	Capt. Leigh.
3rd	No. 3	"	"	1600	11·2	2	1	·25	·022	·052	·03	" Harrison.

GARRISON ARTILLERY WITH R.B.L. 40-PR.

Following are the results of competitive practice, garrison artillery, carried out by the R.C.G.A., 2nd and 6th regts. and Cobourg garrison company, C.A., at Isle of Orleans, P.Q., September, 1904.

Regiment.	Co'y.	Points for Fire effect.	For time.	For Fire Discipline.	Total.	B.C.	S.C.
* Higher Establishment.							
R.C.G.A....	2	114	24	85	223	Lt.-Col. Farley. ...	Lt. Almon.
						Lt. Almon.....	Sgt. Agius.
2nd	2	124	2	70	196	Maj. Renouf.....	Lt. Glass.
							Capt. Wilson-Smith.
R.C.G.A....	1	78	14	90	182	Lt.-Col. Benson.... ..	" Wilkie.
						Capt. Ogilvie.....	
2nd	1	116	....	60	176	Maj. Lyman.....	Lt. Summerfield.
							R.S.M. Wilson.
Cobourg....	. .....	70	.....	65	135	" O'Dell	Lt. McCullum.
							" Anderson.
2nd	3	84	.....	50	134	Capt. Ewing....	" White.
							Maj. Anderson.
* Lower Establishment.							
6th.....	2	60	.....	50	110	Capt. Bergeron.	Lt. Boissinot.
"	1	42	... .	50	92	" Marsan.....	" L. Vien.
"	3	32	. .....	50	82	" Joncas..... ...	" Demers.
"	4	14	.....	65	79	" Gelly..... ...	Capt. Carrier.

* The *Higher* Establishment fired at a field battery and an infantry target.
The *Lower* Establishment fired at artillery target only.

The general efficiency of the garrison artillery is shown in the following table. It will be noted that No. 2 company, 2nd regiment, C.A., won His Excellency the Governor-General's prize for general efficiency, garrison artillery.

Instruction.—In addition to the regular courses of instruction at the Royal Schools of Artillery, at the end of February a preparatory course of instruction for the officers and the non-commissioned officers of the 1st regiment, C.A., was formed in Halifax under the supervision of the C.R.A., the instructors being provided by his command. The attendance, which was purely voluntary, was good, and the whole course was reported to be very satisfactory.

Provisional schools were organized at St. John and Charlottetown in the Spring of the year, for the purpose of preparing officers and non-commissioned officers for the usual qualifying examinations. These were reported satisfactory, but the commandant R.S.A., Quebec, suggests, that, in future, it would be better to have them started early in the year.

It is felt, too, that it would be advisable to have the classes finish their courses at the R.S.A., Quebec, for instruction in discipline, interior economy, and such drills as cannot be carried out locally and for examination.

Return showing the General Efficiency of the Garrison Artillery inspected during the year 1904 :—

CORPS.	Company.	Commanding Officer.	Clothing and Accoutrements.	Company Drill, including Manual and Firing.	Gun Drill.	Discipline and Interior Economy: Officers.	Discipline and Interior Economy: N.C. Officers	Questions.	*Fire Effect: Accuracy in Ranging.	*Fire Effect: Percentage of Effective Time Shell.	*Fire Effect: Percentage of Target destroyed.	*Fire Effect: Gun Laying.	Officers' Observation of Fire.	Absentees: N.C.O.'s and Men.	Total.	Officers absent.	Date of Inspection.
		Full Marks { Higher Est.	25	50	100	25	40	40	20	20	20	60	60		469		
		Full Marks { Lower Est.	25	50	100	25	30	30	20	20	20	60	60		440		
HIGHER ESTABLISHMENT.																	
1st "Halifax" Regiment, 1st Division	1	Major J. A. Marshall	20	40	80	20	39	40	17	18	14	51	54	24	369	2	June 27th, 28th and 29th.
	2	Captain A. W. Smith	18	35	75	20	36	40	20	20	16	56	58	31	363	3	
	3	Major A. W. Duffus	18	35	65	18	32	31	15	15	12	42	40	58	265	2	
	4	" G. W. C. Hensley	20	48	75	23	40	40	17	18	15	54	54	5	399	2	
2nd "Montreal" Regiment	1	Major E. R. Barton	24	40	60	18	29	35	11	7	6	34			264	1	June 13th, 14th and 15th.
	2	" E. M. Renouf	24	42	70	22	38	34	15	9	7	36			297		
	3	" W. E. Lyman	24	40	50	20	28	38	11	4	5	37		9	248	1	
Cobourg Company		Major J. W. O'Dell	20	45	65	20	29	33	13	4	4	38	0	9	262	3	October 7th.
LOWER ESTABLISHMENT.																	
1st "Halifax" Regiment, 2nd Division	5	Capt. P. A. Ernst	19	35	100	20	25	30	20	No time-shell fired.		17	54	Not attempted.	23	297	2	June 30th and July 1st.
	6	" M. C. Denton	19	35	93	20	24	28	20			18	26		17	266	1	
	7	" H. S. Hamilton	19	35	98	20	20	29	20			11	40		14	278	3	
	8	" T. M. Seeley	19	35	94	20	28	28	20			11	32		14	273	1	

3rd "New Brunswick" Regiment	1	Capt. J. M. Robinson	19	43	80	20	29	29			28	32		2	278	1	August 16th, 17th and 18th.
	2	" J. L. Drake	19	40	81	21	30	28			14	17		2	248	1	
	3	" W. H. Harrison	19	42	77	20	28	28			15	29		4	254	2	
	4	" L. W. Barker	19	43	84	20	26	15			23	35		3	260	1	
4th "P.E. Island" Regiment	1	Capt. A. A. Bartlett	25	48	83	23	30	29			19	36		..	293	..	July 6th and 7th.
	2	" A. G. Peake	23	40	81	20	30	27			36	42		..	299		
	3	" E. de B. Peake	23	40	81	15	30	30			23	26		..	268		
	4	" C. Leigh	23	40	70	18	30	30			23	33		..	267	1	
	5	" W. A. Johnstone	22	38	65	14	30	28			11	11		1	218	2	
	6	" Leslie	23	40	65	15	26	15			15	30		..	229	3	
5th "British Columbia" Regiment	1	Captain A. W. Currie	21	48	85	25	40	30	18	No opportunity of Judging.	No opportunity of Judging.	53	Not obtainable with armament used.	.	320	.	May 14th and June 14th, 15th, 17th and 18th.
	2	Lieut. R. Angus	20	45	70	25	28	25	16			53		..	282		
	3	Captain W. H. Langley	21	45	90	25	28	25	18			53		..	305		
	4	Lieut. W. N. Winsby	20	46	80	25	15	23	16			50		..	275		
	5	Captain W. R. Wilson	18	40	65	25	36	20	18			53		..	275		
	6	" B. H. T. Drake	20	47	80	25	27	28	18			35	Examination in Observation of Fire not carried out.	..	280		
6th "Quebec and Levis" Regiment	1	Capt. L. Marsan	18	35	50	20	30	20	18	4	8	41		2	242	..	August 30th.
	2	" J. E. P. Bergeron	18	30	50	20	30	20	18	8	12	43		..	249		
	3	" E. F. Joncas	18	45	50	25	17	21	9	6	6	35		..	232		
	4	" E. Gelly	18	30	65	20	27	17	12	8	3	30		2	228		

* Marks to be awarded at Competitive Practice.

With regard to the field artillery, the commandant R.S.A., Kingston, is of opinion that similar schools would be useful, provided, also, that the classes finished their instruction at the R.S.A., Kingston.

A provisional school of instruction was also established at Victoria, B.C., under the supervision of the C.R.A., at that station, and a number of officers and non-commissioned officers of the 5th regiment, C.A. were put through the course and obtained certificates.

GENERAL REMARKS, ARTILLERY.

The technical requirements of field and garrison artillery are becoming more and more important every day, and, to obtain the right class of officers and men, special inducements should be offered in the way of educational opportunities.

To start with, it is most important to have a highly trained and thoroughly capable class of instructors. Great improvement has been made in this respect, of late.

Even with the best of instructors or personnel, one cannot hope to make an artillery man in 12 days. Provision should be made for at least four days extra training for all artillery officers, non-commissioned officers and specialists. Extra pay should be allowed for efficient specialists, and prizes awarded for gunnery, efficient gun-laying, &c.

As regards qualifications, every facility should be given to induce officers and men to join courses.

Provisional schools should be established wherever possible, but in every case the classes attending should be required to go to the R.S.A. for at least ten days or a fortnight to get such instruction as cannot be given locally, such as discipline, interior economy, and for strict examination.

No pay should be allowed for attendance at a provisional school, except when the members of the class are attending the R.S.A headquarters.

ENGINEERS.

There is an evidently deep interest taken in this corps by all ranks belonging to it, and it would be more satisfactory if all the companies were to perform their annual training in the camps of exercise; and that, while in camp, they should receive the best possible expert training, and not expend much time upon infantry drill.

The companies should be equipped with field tools necessary to accompany a force on service, not only in order that the men may understand their use, but that they may be available at the shortest notice. A limited quantity of expendable material should also be supplied for each training.

ARMY SERVICE AND ORDNANCE CORPS.

The work required of these corps is, practically speaking, and to a great extent, inherent, and much of their usefulness to the service, especially in connection with the troops in camps of instruction, arises from their being able to work conjointly.

The corps, again, are only, as yet, in a state of healthy infancy, and as year succeeds year, as their usefulness develops and becomes apparent, it will be found that the troops, generally, will lean harder upon them, and if they are not strengthened, numerically improved and, in time, perfected, discomfort, and possible disaster to all concerned may accrue.

These are both permanent corps having a permanent personnel, not a few of whom, if they have not yet reached the age limit are fast closing in upon it, and up to the present time with an establishment not recruited up to full strength. The question naturally arises, who are to fill the vacancies ? The matter is of serious consequence and no time should be lost in the due consideration of the question in order that both corps may be fairly efficient in time for next year's training.

Furthermore, to get the greatest good from all ranks composing these permanent units, they should be trained in schools of instruction that may have to be improvised to act temporarily at different stations until a permanent school is provided, the session or courses of which need not be of long duration, while at the same time the syllabus should be carefully prepared and made applicable as much as possible to the two services. One great advantage, alone, that might be ensured from an attendance at such a school, or schools, would be to ensure the systemized training of regimental-quartermasters whose value to their respective regiments is in proportion to the knowledge of their duties and their manner of performing them. I am quite satisfied that the most efficient quartermasters would be the first to seek technical instruction and training, were an opportunity afforded them.

Should it come about that a Canadian force must take the field, no branch of the service will have to bear the strain equal to that that will fall upon the Army Service Corps and the Ordnance Corps, and they would certainly not be 'equal to the occasion' without having had a careful training beforehand, and that training can only be had at a school.

SIGNALLING CORPS.

A section of signallers has been formed at the headquarters of the following permanent units, namely:—

Royal Canadian Dragoons,

Royal Canadian Mounted Rifles,

Royal Canadian Field Artillery,

Royal Canadian Garrison Artillery,

and each Regimental Depôt, Royal Canadian Regiment;

the training being carried out in accordance with the instructions of the respective Inspectors of Signalling, one of whom is stationed at Kingston, Ont., and the other at Quebec and at times, further eastward. From returns received the work performed, considering the short time this valuable adjunct to the Royal Schools of Instruction has been established, has proved most satisfactory, and greater progress and more satisfactory results are anticipated as the organization matures.

UNIFORM OF OFFICERS.

Since the close of the South African war, officers appear to have been wearing many varieties of military dress, so much so that, practically speaking, except among regimental officers not employed on staff duty, the dress is anything but uniform. Then again there appears to be great confusion of opinion as to what dress temporarily appointed staff officers should wear.

The whole question of dress requires early settlement, as officers have been misled and put to needless expense from not knowing that they are purchasing unauthorized uniform.

EFFICIENCY PAY.

The authority for this extra pay was not promulgated in General Orders sufficiently early to cause any marked difference in the attendance of non-commissioned officers and men in camp, this year, but the universal opinion among all ranks is that a greater number of desirable men will turn out for training, in future, and, what is more encouraging, perhaps, is that they will continue to serve, and that a greater number of efficient non-commissioned officers will be secured who will continue in the force.

STAFF.

With regard to the staff of the various camps, I may say that they appeared to be devoted to their work, untiring in their efforts to carry out every duty that fell to their individual lot, and determined to insure every advantage being taken of the opportunities afforded for the improvement of the force. That all this was done and done well, sometimes under difficulties, speaks well for the staff, and, for that matter, for all concerned, and that the large force of officers, men, horses, supplies and baggage with the equipment were moved great distances by rail, steamer and wagon, practically without hitch or accident, speaks well for military organization.

GENERALLY.

Speaking generally, I found a marked improvement in the camps of instruction since I last inspected them, four years ago, but, on the other hand, a great deal was left to be desired, and I might here reiterate some of the remarks submitted in my report as Officer Commanding the Militia for 1900, the last time I inspected the force, for instance, the neglect of the men's comfort while at their meals; the want of properly organized canteens; the deficiency of serviceable 'men's boots'; the retention of the obsolete Snider rifle and the equipment that sometimes accompanies it; and want of judging-distance practice, and rifle ranges; the serious want of qualified instructors, especially of those who can speak the French language.

I am strongly impressed with the importance of having a diary of training, for each day's work, in the camps of instruction more particularly, and for each arm of the service, issued from headquarters, and to be strictly observed by all concerned. These diaries can be issued a month before the training takes place, which would give officers and non-commissioned officers an opportunity to work up the 'exercises' they will be expected to become proficient in, and, having a knowledge of them, they can then impart instruction to the rank and file more readily and with greater confidence.

HEADQUARTERS STAFF.

I should like to be allowed to express my feelings of deep gratitude to all the officers of the headquarters staff, the clerical staff and the employees for their untiring, cheerful willingness in so ably aiding me to carry on my duties as the Officer Commanding the Militia for the past few months.

The work of the whole department is, as is well understood, very heavy, and the military branch must take its fair share, but the harmony that prevails, between the several branches, helps to lighten the work of each and all.

I have the honour to be, sir,
Your obedient servant,

AYLMER,
Brigadier-General.
Late Commanding Canadian Militia.

ADJUTANT-GENERAL'S BRANCH.

OTTAWA, January 10, 1905.

To the Honourable
The Minister of Militia and Defence,
In Militia Council.

SIR,—I have the honour to report on the work of the Adjutant-General's Branch for the year ending December 31, 1904.

REVISION OF REGULATIONS AND ORDERS, 1904.

During the year the Regulations and Orders, 1898, were revised, the new edition being sent to the press early in the month of October. The work was done at headquarters without any additional assistance, although for the last revision, two officers were specially employed.

DUTIES OF ADJUTANT-GENERAL.

On the departure of the Earl of Dundonald, Colonel the Right Honourable Lord Aylmer, Adjutant-General, was appointed to the command of the Militia, and the Adjutant-General's duties devolved upon the Deputy-Adjutant-General.

ESTABLISHMENTS.

The whole of the regimental establishments of active militia, exclusive of those relating to the permanent force, were revised early in the year, and new establishments, providing establishments on a peace and war footing, were issued. Subsequently, the establishments for the permanent force were revised. In this edition, the Royal Canadian Regiment was placed practically upon the same numerical footing as it was prior to the reductions in its establishment in 1895 and 1897.

It was decided not to appoint a lieutenant-colonel to the command of the Royal Canadian Regiment. The administration of the regiment was therefore taken up by the Adjutant-General, who carries it on on the same lines as those laid down by Major General Herbert, when he was in command of the Militia.

The establishments for the year 1905-6 are now in course of preparation.

TRAINING.

The numbers trained in camps of instruction and at local headquarters will be found in the attached appendices marked 'A' and 'B', respectively.

SIGNALLING.

District Signalling Officers have been appointed in ten military districts with authority to enrol sections composed of :—

1 sergeant,
2 corporals,
4 privates.

There are 41 units equipped with signalling apparatus, partially trained and completing their signalling organization. Twenty-seven officers and 83 non-commissioned

officers and men attended classes of instruction in signalling during the past year, of whom 19 officers and 41 non-commissioned officers and men obtained certificates.

PROVISIONAL SCHOOLS.

Provisional schools for artillery were established in St. John, N.B., and Charlottetown, P.E.I., early in the year.

There was no provisional school for cavalry held this year, in consequence of a very strong adverse report from the Inspector of Cavalry, who reported that the result of the work done at the provisional school held last year was unsatisfactory ; that injury to horses and equipment resulted, and that the expense was very heavy.

Other provisional schools were held as follows :—

Infantry.—In Quebec, Hamilton, Montreal, Kingston and Brockville.

Signalling.—In Quebec.

Army Service Corps.—At Guelph and Sherbrooke.

The number of officers who qualified at all schools of instruction during the year is 505.

ORGANIZATION.

The following changes in organization have taken place during the past year :—

Cavalry.

The 13th Scottish Light Dragoons was formed by conversion of the 79th regiment and transfer of 'C' and 'D' squadrons from the 6th Hussars.

6th Hussars (two squadrons were organized to replace those transferred to the 13th Scottish Light Dragoons).

'H' squadron, C.M.R., was disbanded.

Artillery.

6th Field Battery was disbanded.

4th regiment, C. A., (two companies added by the conversion of the Charlottetown Engineer Company into artillery.

Infantry.

16th regiment (two companies added).
20th regiment (one company added).
21st regiment (one company added).
28th regiment (one company added).
41st regiment (reduced from 8 companies to 4).
42nd regiment (two companies added).
44th regiment (two companies added).
91st regiment (four companies added).
Glengarry Highlanders (two companies as nucleus of regiment).
Rifle regiment in British Columbia, with two companies at Fernie, as nucleus.

REGULATIONS.

Regulations relating to the appointment, promotion and military education of officers and N.C.Os. other than those of the permanent force were drawn up.

FORTRESS COMMAND.

The forts, batteries, artillery barracks and quarters of the Royal Canadian Artillery and Royal School of Artillery at Kingston, embraced in the defences of that place,

have been converted into a fortress command, under the senior officer of the artillery troops quartered there.

MUSKETRY TRAINING, PERMANENT CORPS.

These corps have this year carried out their musketry training as laid down in the Canadian Musketry Regulation for 1904. No. 3 regimental depôt, St. John's, P.Q., is now the only infantry station of the permanent corps at which no rifle range is available. Shooting badges for proficiency have been authorized for units of the permanent corps.

RIFLE ASSOCIATIONS.

The rifle associations have again largely increased in numbers, their number and membership being as follows :—

Military	93
Civilian	257
Total	350

with a membership of :—

Military	12,809
Civilian	15,151
Total	27,960

RIFLE RANGES.

The following rifle ranges have been completed during the past year :—

Winnipeg,
Cobourg,
Vancouver,
Niagara,
Kentville (Aldershot Camp),
Moncton,
Fredericton.

At Sussex a site for a rifle range has been purchased. At the following places the construction of rifle ranges is now under consideration :—

Bridgetown,
Goderich,
Windsor,
Kingston,
Port Hope,
Sydney,
New Westminster,
Peterborough.

SUB-TARGET GUN.

A number of sub-target guns are being procured for the use of the militia. These guns have not been tried by the militia. There is no doubt men can be trained efficiently with them, so that a few days on the range with service ammunition will make them fairly efficient shots.

CANADIAN SCHOOL OF MUSKETRY.

There were two courses held during the summer, the total attendance at which was 52 officers, 54 non-commissioned officers, of whom 50 officers and 39 non-commis-

sioned officers obtained certificates. The standard of efficiency required from officers and non-commissioned officers who obtained '*distinguished*' certificates is the same as is maintained at Hythe.

CADET ORGANIZATIONS.

Twenty-two new cadet organizations were authorized during the year.

Formerly the age limit for cadets was 18, that being the age young men became eligible for service in the active militia. At the request of some of the educational institutions, it is proposed to amend the regulations to permit *bona fide* students at educational institutions, beyond the age of 18 years, continuing as members of the cadet organizations authorized in connection with such institutions, so long as they remain students thereat.

RECOGNITION BY THE KING.

His Majesty the King was graciously pleased to grant the honour of the prefix 'Royal' to the permanent unit of Canadian Engineers.

His Majesty was also graciously pleased to authorize the undermentioned units of the permanent forces to adopt the Royal Cypher, surmounted with the Imperial Crown as a badge :—

Royal Canadian Dragoons,
Royal Canadian Mounted Rifles,
Royal Canadian Artillery,
Royal Canadian Engineers,
Royal Canadian Regiment.

His Majesty also presented banners to the following corps in recognition of their services in the South African war, viz :—

Royal Canadian Dragoons,
Royal Canadian Mounted Rifles,
Royal Canadian Field Artillery.
Royal Canadian Garrison Artillery,
Royal Canadian Regiment.

In the event of Lord Strathcona's Horse being organized as a permanent unit, a banner will be presented by His Majesty to it also.

ARTILLERY INSPECTION.

New regulations governing artillery inspections were drafted and promulgated.

PAY.

The pay, both for the active militia and the permanent force, has been revised, and an increased scale for all ranks has been authorized.

Efficiency pay or warrant officers, N.C.O.'s and soldiers of the active militia, permanent force excepted, has been provided for, with a view to increasing the efficiency of the several units of the militia by inducing men to continue to serve therein.

QUALIFICATIONS OF OFFICERS OF PERMANENT FORCES.

The order requiring officers of the permanent force to qualify for promotion on the same lines as officers of His Majesty's Regular Army was put into force last year, the first examination being held in November, 1903. The second examination has just been held with the result that 8 out of 9 candidates passed. The examination papers, in both cases, were obtained from the War Office. The work of correcting the papers and the allotment of marks in the former examination was performed by the commandant

and staff of the Royal Military College. For this year's examinations a board, composed of one officer of the permanent staff, one of the permanent force and one of the Royal Engineers, conducted the examination, corrected the papers and allotted the marks. This latter system has been found most satisfactory.

An appendix (marked 'D') showing the number of district courts-martial held in units of the permanent force, together with the offences and sentences awarded in each case, is attached.

Also attached (appendix 'E') is the annual return of the permanent corps (non-commissioned officers and men) for the year ending December 31, 1904.

Appended also (appendix 'F') is the report of the commandant of the Royal Military College for the year ending December 31, 1904.

I have the honour to be, sir,
Your obedient servant,

B. H. VIDAL, Colonel,
Adjutant-General.

APPENDIX A.

RETURN showing the Number of Officers, N.C. Officers, Men and Horses trained in the Year 1904, in District Camps.

Military District	Authorized Establishment.			Received 12 days training.			Received under 12 days training.			Untrained.		
	Officers.	N.C. Officers and Men.	Horses.	Officers.	N.C. Officers and Men.	Horses.	Officers.	N.C. Officers and Men.	Horses.	Officers.	N.C. Officers and Men.	Horses.
No. 1	379	3,103	111	188	2,190	49	2	35	5	189	878	57
2	768	6,119	1,722	367	4,506	1,270	5	113	33	396	1,500	419
3	438	3,583	1,213	224	2,024	693	.....	.....	.....	214	1,559	520
4	164	1,312	16	78	975	14	2	2	.....	84	335	2
5	194	1,612	113	102	1,254	40	4	.....	.....	88	358	73
6	228	1,784	1,612	155	1,339	1,162	.....	....	.....	73	445	450
7	379	3,089	116	214	2,008	106	....	15	.....	165	1,066	19
8	248	2,006	362	142	1,699	324	18	26	2	88	281	36
9	348	2,876	425	224	2,261	330	5	22	10	119	593	85
10	41	408	430	28	309	330	.....	11	11	13	88	89
11	.....	.....	.....	.....	.....	.....	.....	.....	.....	....	.....	.....
12	75	590	83	48	543	82	2	15	....	25	32	1
Totals	3,262	26,482	6,203	1,770	19,108	4,400	38	239	61	1,454	7,135	1,742

B. H. VIDAL, Colonel,
Adjutant-General.

APPENDIX B.

RETURN showing the number of Officers, N.C. Officers and Men and Horses trained in the year 1904 at Local Headquarters.

Military District	Authorized Establishment.			Received 12 days training.			Received under 12 days training.			Untrained.		
	Officers.	N. C. Officers and Men.	Horses.	Officers.	N. C. Officers and Men.	Horses.	Officers.	N. C. Officers and Men.	Horses.	Officers	N. C. Officers and Men.	Horses.
No. 1	175	1,398	174	96	1,263	158	2			77	135	16
2	371	3,512	63	160	3,109	33	45	51		166	352	30
3	138	1,116	12	72	813	11				66	303	1
4	173	1,525	352	132	1,360	278		62	1	41	103	73
5	269	2,557	176	172	2,385	162		29		97	143	14
6	52	408	8	33	357	8		30		19	21	
7	115	891	166	54	758	150				61	133	16
8	91	801	157	59	691	144				32	110	13
9	131	1,388	13	89	955	13		203		42	230	
10	55	481	79	36	380	68	1	27		18	74	11
11	108	896	7	57	722	7		93		51	81	
12	20	204		19	204					1		
Totals	1,698	15,177	1,207	979	12,997	1,032	48	495	1	671	1,685	174
Summary.												
District Camp	3,262	26,482	6,203	1,770	19,108	4,400	38	239	61	1,454	7,135	1,742
Local Headquarters	1,698	15,177	1,207	979	12,997	1,032	48	495	1	671	1,685	174
Totals	4,960	41,659	7,410	2,749	32,105	5,432	86	734	62	2,125	8,820	1,916

H. B. VIDAL, Colonel,
Adjutant-General.

APPENDIX C.

List of Certificates issued to Officers, N. C. Officers and men of the Active Militia during the year 1904.

Arm and Station.	Officers.					N. C. Officers.				Maxim Gun.	Trumpeters and Buglers Course.	Musketry.			Total.	Remarks.
	Long Course.	3rd Class.	2nd Class.	1st Class.	Equitation.	Higher 3rd Class.	Sergeants 2nd Class.	Corporals and Bomb. 1st Class.	Equitation.			Passed.	Distinguished.	Marine and Fisheries.		
Cavalary, Toronto	2	14	21	31	19	26	4	1	9	...	8	...	...	...	135	
Mounted Rifles, Winnipeg	...	...	*4	†10	...	...	8	25	...	...	1	...	...	...	48	*1 an infantry certificate. †2 infantry certificates.
Artillery, Field, Kingston	1	1	...	8	...	5	8	8	...	...	4	...	...	...	35	
Artillery, Garrison, Quebec	2	...	18	...	..	3	6	20	...	...	1	...	...	7	57	
Infantry, London	...	2	8	17	...	...	14	...	....	4	....	...	...	...	45	
" Toronto	...	39	27	51	...	1	49	8	...	4	8	...	...	...	187	
" St. Johns, Que	...	6	25	36	...	1	24	...	...	4	....	...	...	...	98	
" Fredericton	....	4	14	30	..	....	27	...	....	...	....	...	....	...	75	
" Quebec	...	8	22	37	...	...	5	...	...	11	...	...	...	....	83	
School of Musketry, Ottawa	...	...	...	...	...	....	....	...	...	...	...	69	19	..	88	
Total	5	74	141	220	19	36	145	62	9	23	22	69	19	7	851	

H. B. VIDAL, Colonel,
Adjutant-General.

APPENDIX D.

PERMANENT CORPS.

RETURN of Convictions by District Courts-martial for the year ending December 31, 1904

Corps.	Offences against discipline, i.e., insubordination and insubordinate language.	Desertion.	Theft.	Other Offences.	Total.	Total, by Corps.
Royal Canadian Dragoons		2		3	5	5
Royal Canadian Mounted Rifles	1	3			4	4
Royal Canadian Field Artillery		9	3	5	17	17
Royal Canadian Garrison Artillery		4		5	9	9
R.C.R. No. 1 Depôt		5		1	6	19
R.C.R. " 2 "		2			2	
R.C.R. " 3 "		2		3	5	
R.C.R. " 4 "		4	1		5	
R.C.R. " 5 "		1			1	
Total	1	32	4	17	54	54

H. B. VIDAL, Colonel,
Adjutant-General.

APPENDIX E.

ANNUAL RETURN of Permanent Corps of Active Militia, Warrant Officers, Non-commissioned Officers and Men, for the Year ending December 31, 1904.

Name of Corps.	Authorized Establishment.	Strength on Dec. 31, 1903.	Strength on Dec. 31, 1904.	Become Non-effective.								Enrolled.					Composition of present Contingent as to length of Service.				
				Discharged by Purchase.	Discharged—Unsuitable.	Discharged—Invalided.	Discharged—Time Expired.	Deserted.	Died.	Transferred.	Total.	Enlisted.	Re-enlisted.	Transferred.	Returned from desertion.	Total.	Under 1 Year.	1 to 2 Years.	2 to 3 Years.	Over 3 Years.	Serving with Pension from Imperial Government.
Royal Canadian Dragoons	100	91	90	6	2	....	6	30	....	1	45	40	2	..	2	44	28	11	12	39	1
Royal Canadian Mounted Rifles	51	41	55	1	8	....	3	21	1	2	39	42	1	1	6	50	31	5	6	10	
Royal Canadian Field Artillery	245	158	168	2	12	1	14	40	....	5	74	66	4	....	14	84	50	12	30	76	1
Royal Canadian Garrison Artillery	212	178	167	4	11	....	13	25	4	4	61	46	....	....	4	50	38	25	19	85	
Royal Canadian Engineers	125	....	16	....	....	....	....	....	....	....	....	12	....	1	....	16	13	1	1	1	
R. C. Regt. No. 1 Depôt	78	42	57	4	3	....	2	13	....	7	29	35	....	1	8	44	27	9	4	17	
R. C. Regt. 2 "	96	73	87	6	4	....	3	22	....	9	44	45	3	5	5	58	38	8	9	32	
R. C. Regt. 3 "	60	61	59	2	3	1	2	19	1	3	31	27	3	....	6	39	16	15	11	14	
R. C. Regt. 4 "	67	62	62	3	4	....	2	17	....	8	34	28	1	3	2	34	21	11	3	25	
R. C. Regt. 5 "	81	79	87	6	....	1	6	25	....	1	42	43	3	3	1	50	32	13	20	22	
Canadian Army Service Corps	5	....	3	....	....	....	....	....	....	....	....	2	....	1	....	3	2	....	....	1	
Permanent Army Medical Corps	36	2	33	1	....	....	....	1	....	....	2	33	....	....	....	33	10	11	7	5	
Ordnance Store Corps	86	63	75	....	1	....	....	....	1	....	2	12	....	2	....	14	12	3	....	60	10
Totals	1,245	853	959	38	48	3	58	213	7	16	113	431	20	20	18	519	321	124	125	389	12

B. H. VIDAL, Colonel,
Adjutant-General.

APPENDIX F.

KINGSTON, ONT., January 1, 1905.

To the President of the Royal Military College, Canada.

SIR,—I have the honour to forward my report on the Royal Military College for the year ending December 31, 1904.

STRENGTH.

1. At the beginning of the year there were 88 Gentlemen Cadets. During the year this number has been decreased by 24, as follows :—

Commissioned in Imperial forces, 3.

Commissioned in Reserve of Officers, 13. Graduated June, 1904.

Withdrawn, 8; and increased by 32 (admitted September, 1904), leaving a present strength of 96 Gentlemen Cadets.

CONDUCT AND DISCIPLINE.

2. The conduct and discipline of the Gentlemen Cadets have been good.

EXAMINATIONS.

3. In the yearly examinations, the results have been generally satisfactory. The graduating class, however, was not up to the average of former years, although it contained some good men. Weakness was shown in Civil Surveying and Physics. Having in view the greatly increased numbers in the classes, and the importance of these two subjects, I consider that they should no longer be taught by one and the same professor, but that two separate professors should be employed for the purpose.

DRILLS AND EXERCISES.

4. A good standard has been maintained in drills and exercises. It is to be regretted that there was no opportunity for taking the Gentlemen Cadets into camp for gun practice. I hope, however, that next summer this opportunity may be afforded them, and that they may be enabled, in addition, to carry out some practical work in field engineering, tree cutting, &c.

Great interest has been taken, and good results obtained in musketry. In connection with this, I have pleasure in recording the fact that the government of the province of Ontario has presented the college with an 'Inter-Company Musketry Challenge Shield' as a mark of its appreciation of the importance of the subject.

RIDING.

5. As I learn that a separate riding establishment and riding-school are to be provided shortly for the College, I will only say with regard to Equitation that instruction in this subject should be conducted by a properly qualified officer.

OFFICERS' LONG COURSE.

6. A Long Course for officers was held from March till May. Fifteen officers completed the course, of whom eight obtained 1st-class and six obtained 2nd-class

certificates. In addition, two officers of the permanent corps attended the course in order to prepare for their promotion examination.

NEW BUILDINGS.

7. I learn that it is contemplated to erect, at an early date, a covered skating and curling rink, wooden racquet courts, a riding-school, quarters and stables for a riding establishment, and new servants' cottages. I consider such buildings to be urgently needed, and in the order named.

RETIRING MEMBERS OF THE STAFF.

8. During the year the following members of the staff have left the college, viz.:

Professor C. L. Worrell, on appointment to the Bishopric of Nova Scotia, and after thirteen years' service at the college; Captain C. B. O. Symons, R.E., on completion of appointment, and Captain and Brevet Major H. A. Panet, D.S.O., R.F.A., on appointment as A.A.G. Militia Headquarters.

I take this opportunity of bringing to your notice the excellent work done by these gentlemen.

ENTRANCE OF R.M.C. GRADUATES INTO THE LOCAL FORCES.

9. I have again to report the continued reluctance of the Gentlemen Cadets to enter either the permanent or the Active Militia on graduating.

Regarding the permanent militia, I consider the cause to be the strong counter attractions in civil employment (such as civil engineering), which at this moment prevail in Canada.

As it is in the highest degree desirable that commissions in the permanent militia should be obtained by the best cadets of each year's graduating class, I have the honour to suggest : That each June a fixed number of commissions in the permanent corps—to be termed King's Cadetships—be offered to the graduating class; such commissions with choice of corps being offered to the cadets according to the order of merit in which they pass out, as is done for Imperial Commissions :—

Regarding the Active Militia, I venture to repeat my suggestion of two years ago —and that is, that every cadet who enters the R.M.C. after August, 1905, be obliged to serve for three years in the Active Militia, immediately on graduating, should he not have obtained a commission in either the Imperial Army or the permanent militia.

COMMISSIONS.

10. During the year the following Gentlemen Cadets obtained commissions:—

E. F. Dawson, Royal Engineers.

H. St. G. Hamersley, Army Service Corps.

H. M. M. Hackett, Indian Army.

DIPLOMAS OF GRADUATION.

11. Diplomas of Graduation have been awarded to the following Gentlemen Cadets of the 1st-class :—

B. S. M. Peters (Honours), C.S.M. Dawson (Honours), C.S.M. Putnam.

Sergt. Templeton (Honours), C.S.M. Hackett, Sergt. Hill, C.S.M. McConkey.

Corpl. Vansittart, Corpl. Sills, Corpl. Benoit, Sergt. Hill, Sergt. Mudie, Sergt. Bradt, Sergt. Hamersley, Cadet Rogers, and Corpl. Lytle.

ANNUAL PRIZES.

12. The College prizes awarded during the year have been won as follows:—

Governor General's medals, for the highest aggregate of marks during the entire course :—

Gold Medal,	B.S.M. Peters.
Silver Medal,	C.S.M. Dawson.
Bronze Medal,	C.S.M. Putnam.

Sword of Honour prize, for Conduct, Drills and Exercises, B.S.M. Peters.

Class prizes for highest number of marks in each class during the year :—

1st Class,	B.S.M. Peters.
2nd Class,	Sergt. Schmidlin.
3rd Class,	Cadet Gemmill.

Subject prizes for the highest number of marks in the several subjects.

In the 1st Class, Batt. S.M. Peters won the prize for Military Engineering—Military Surveying—Civil Surveying—Science—Civil Engineering—Military Drills and Exercises. The prize for conduct was won by Co. S. M. Dawson.

In the 2nd class, Sergt. Schmidlin won the prize for Mathematics—Geometrical Drawing—Artillery—French and English; and Cadet Smith won the prize for Tactics, Military Administration and Law.

The Dominion Artillery Association prizes were won by Batt. S.M. Peters and Cadet Watts.

The Commandant's Musketry prize, young soldiers' course, was won by Cadet Irving.

The 'Dundonald Mounted Patrol Competition' was won by C. Company (2nd team) composed of Cadet Dunlop, Sergt. Mudie, Corpl. Vansittart and Corpl. Benoit.

DETAILS OF SUPERIOR AND SUBORDINATE STAFFS.

13. The following are the details of the superior and subordinate staffs, in accordance with 56 Vic., c. 17, s. 1 and 2.

Superior Staff.

Commandant, $3,163.33 ; Staff Adjutant, $1,400 ; Medical Officer, $1,460		$ 6,023 33
4 Military Professors—		
Artillery, Military Law, &c	2,500 00	
Military Engineering, &c	2,500 00	
Tactics, Reconnaissance, &c	2,500 00	
Military Topography, &c	2,500 00	
5 Civil Professors—		
Mathematics	2,500 00	
Civil Engineering	2,500 00	
Science and Civil Surveying	2,500 00	
French	1,200 00	
English	1,200 00	
2 Assistants—		
Mathematics	1,200 00	
Civil Engineering	1,100 00	
Extra-duty pay, allowances, &c	2,025 05	
		$30,248 38

Subordinate Staff.

Military—

1 Accountant and Clerk at $2.25, 2 Drill Instructors at $1.75, 2 Drill Instructors at $1.50 and 1 Drill Instructor at $1.25	$ 3,650 00
Extra-duty pay, allowances, &c., including uniform	2,080 50
3 attached gunners, R.C.F.A., at 25 cents	273 75
	$ 6,004 25

Civil—

3 head servants at $35 per month	$ 1,260 00
10 ordinary servants at $22	2,640 00
Uniform livery for 13 servants	390 00
Lodging allowances for 3 servants	180 00
Barrack labourer at $1	365 00
	$ 4,835 00

I have the honour to be, sir,
Your obedient servant,

R. READE, Colonel.
Commandant, R. M. College.

QUARTERMASTER-GENERAL'S BRANCH.

OTTAWA, December 19, 1904.

The Honourable
The Minister of Militia and Defence,
In Militia Council.

SIR,—I have the honour to report on the work of the Quartermaster-General's Branch for the period from January 1, 1904, to November 17, 1904, the date of the constitution of the Militia Council.

ARMY SERVICE CORPS.

The assistance given by the companies of the Army Service Corps has been of the greatest possible benefit to the troops in the issue of rations, supply of bread, meat, forage, and in cooking. Where bread was supplied it was of excellent quality. These companies also in some cases took charge of camp transport with the greatest possible benefit, notably so at London, Niagara, Kingston, Three Rivers and Aldershot.

These services are much appreciated by the various units, as it relieved them from a great deal of fatigue work which they were formerly called upon to do.

An increase in the number of companies to bring them up to the proportion required to that of the other units would result in increased efficiency and make the militia more self-contained.

RAILWAY AND WATER TRANSPORT OF TROOPS.

The transport arrangements furnished by the various railways and steamboats were in every way better than in the past, although some improvements are yet possible. By fixing the dates of the various camps at such periods as not to conflict with the enormous strain on the transportation companies on such public holidays as May 24, July 1, congestion of transport was avoided in a large degree.

It would be a great step in advance if the transport to camps for annual training could conform as much as possible to that which would obtain in times of mobilization for service. By a little pre-arrangement and the issue of orders for annual drill as early as possible in the year (as March), this could be effected and without any extra expense.

FOOD AND FORAGE.

The camp supplies of food and forage furnished by contract gave general satisfaction. Any shortcomings were, as a rule, cheerfully rectified by the contractors. The new scale of rations was a great boon to the troops, and the increase of forage to the field artillery was much appreciated.

COOKING.

Undoubtedly much of the hardship of the men at annual drill is due to poorly and improperly-cooked food. While the remedy for this must lie in the hands of the troops themselves, yet a great deal could be effected by the introduction of a system of cooking instruction. Sergeant-cooks who had attended such courses could then be appointed.

The new military cooking ranges, some of which were in use this year with much success, would be of great assistance towards improved cooking.

CAMP GROUNDS.

In the various camp grounds there were many shortcomings, the best sites being Three Rivers, Lévis, Sussex and Aldershot. The latter is possibly, when completed, the best in the country.

Niagara.—Too small, not much parade and manœuvring ground remained after the troops had been encamped.

Kingston.—The nature of the soil makes the ground difficult of drainage in wet weather.

Laprairie.—The same remarks apply to Laprairie as for Kingston. Any proper improvement would entail a large expenditure, particularly as regards water supply. The question of carrying this out at Laprairie is one which should be considered from a strategical point of view.

Ottawa.—The ground occupied at Ottawa was entirely too small and as result the camps of the various units were much congested. The city of Ottawa was extremely generous in affording every facility possible for the convenience and comfort of the troops. The laying of a water main into the camp ground by the city was the greatest possible boon and gave unlimited water supply for men and horses.

STABLING.

The question of stabling versus picket lines is one for serious consideration. In the mounted units this is a matter of much moment to horse owners owing to the numerous accidents to valuable animals. Much can be said on both sides of the question, but the majority certainly favour shelter of some sort. The staff suffer most for want of proper staff line shelters.

ARMOURIES.

The various armouries have been maintained in repair as far as appropriations permitted.

INJURIES TO HORSES.

The number of accidents and injuries to horses have been many and serious during the year. Such accidents are always more or less inseparable from the conditions of service of mounted units, particularly when the horses are strange to each other and the surroundings new and often terrifying. Of course the increase of accidents is due to the increased proportion of mounted troops drilled during the year. A remedy would lie in arranging for increased space on the horse lines and renewal of the picketing gear, or the construction of shelters.

VETERINARY SERVICES.

A Minute respecting veterinary services and the establishment of a veterinary staff was submitted.

BARRACK ACCOMMODATION.

New barrack accommodation at Kingston and Toronto is absolutely necessary, and plans have been prepared to provide for the requisite buildings.

ORDERS FOR ANNUAL TRAINING.

The date of Orders for Annual Camps is one of much moment to the Quartermaster-General's Department. It is hoped for obvious reasons that the orders calling out the militia for annual drill may be issued as early in the year as possible. The month of March is suggested as most appropriate.

REGIMENTAL TRANSPORT.

Militia General Order No. 172, 1903, provided for the establishment of regimental wheeled-transport and the registration of horses and vehicles. As yet this most important work has been carried out by the district staff officers, but undoubtedly special transport officers will be necessary in each district. The application of this system of transport and registration to annual drill should be insisted on.

W. H. COTTON, Colonel,
Late Quartermaster-General.

BRANCH OF THE DIRECTOR-GENERAL OF THE ORDNANCE.

Ottawa, December 19, 1904.

To the Honourable
The Minister of Militia and Defence,
In Militia Council.

Sir,—I have the honour to report on the work of the branch of the Director-General of the Ordnance for the period from January 1, 1904, to November 17, 1904, the date of the constitution of the Militia Council.

The usual routine work of the branch has been efficiently carried on during the past year.

The organization of the civil employees of the former Stores Branch of the Department into the Ordnance Store Corps has been effected. The men of the corps have been regularly enrolled and are now under military discipline.

The supply of camp equipment received during the past year enabled the branch to meet the increased demand for camps in a satisfactory manner. The fact that all camps, with one exception, Nova Scotia, were assembled within thirty days, was a good test of the ability of the branch to meet the demands made upon it.

Armourers, as during the previous year, were detailed for duty in camp. This system of examination and repairs to rifles in charge of rural regiments is not only a saving of expense to the public, but insures as far as possible, the arms being kept in a serviceable condition.

Attention is requested to the fact that the supply of rifles in store is being rapidly reduced, owing to equipment of new units and issues to rifle associations. Examination indicates that many of those now in use will shortly require new barrels and other repairs.

It is important that a reserve supply of clothing, equal to one full issue of the established strength of the militia, should be at all times available; this irrespective of the ordinary annual demands. Hitherto it has been impossible to build up such a reserve, indeed the whole stock has to be drawn upon to supply the various sizes asked for in the usual clothing requisitions. It is expected though an increased annual vote, together with what may be available from the special vote, will before very long provide a fair reserve.

It is of a good deal of importance to this branch that the orders for annual training should be issued at as early a date as possible. Commanders of units, as a rule, wait for the orders for training before actively taking up the question of equipment, (or even recruiting to the established strength), a rush then follows and work which should spread itself over at least three months is crowded into one. As an evidence of this, during the month of May last over 800 requisitions for clothing and other equipment were received and acted upon at headquarters stores. These requisitions covered an issue of many thousands of garments and other articles of regimental supply. This rush frequently leads to incomplete demands and also necessitates transport by express when transport by freight under normal conditions would answer.

The supply of arms suitable for issue to cadet corps having become exhausted, it was arranged to convert a number of the long Snider rifles returned from and no longer required by the militia, into a suitable arm, by shortening the stock and barrel so as to make them resemble the Snider carbine which was constantly in demand. This is being done by the armourers without expense to the public.

Appendices showing the transactions during the year ending June 30 last, are attached hereto as follows.—

'A.'—Small arm ammunition issued on repayment.

'B.'—Small arm ammunition issued for practice.

'C.'—Tenants and rental.

'D.'—Return of gunpowder and friction tubes for practice and salutes.

'E.'—Revenue.

I have the honour to be, sir,
Your obedient servant,

D. A. MACDONALD, Colonel,
Late Director-General of the Ordnance.

APPENDIX A.

SMALL ARM Ammunition issued on repayment from July 1, 1903, to June 30, 1904.

Military Districts.	Rounds.	Amount.
		$ cts.
Military District No. 1—London	26,990	227 05
" 2—Toronto	38,130	429 34
" 3—Kingston	14,000	90 00
" 4—Ottawa	57,015	863 75
" 5 & 6—Montreal	100,640	1,067 92
" 7—Quebec	4,200	39 00
" 8—St. John, N.B	39,452	579 49
" 9—Halifax, N.S.	49,393	681 15
" 10—Winnipeg	200,460	2,499 22
" 11—Victoria, B.C.	75,464	908 55
" 12—Charlottetown, P.E.I.	29,420	242 50
Totals	635,164	7,629 97

	Rounds.
Lee-Enfield—Ball	412,397
Gallery—Ball	87,605
Martini-Henry—Ball	10,650
Snider—Ball	100,000
Morris Tube	1,000
Lee-Enfield—Blank	2,072
Snider—Blank	3,300
Revolver—Colts	1,100
Shells—Empty	17,040
Total	635,164

D. A. MACDONALD, Colonel,
Director-General of the Ordnance.

APPENDIX B.

SMALL ARM Ammunition issued for Practice from July 1, 1903, to June 30, 1904.

Military Districts.	Rounds.		
	Lee-Enfield.		
	Gallery.	Ball.	Blank.
Military District No. 1—London	62,500	244,415	16,600
" 2—Toronto	120,000	707,795	11[illegible],790
" 3—Kingston	26,840	149,300	47,145
" 4—Ottawa	12,050	341,594	11,853
" 5 & 6—Montreal	132,400	334,430	33,620
" 7—Quebec	20,600	177,080	46,780
" 8—St. John, N.B	92,680	135,995	47,569
" 9—Halifax, N.S	39,700	339,330	30,000
" 10—Winnipeg	42,960	324,533	9,018
" 11—Victoria, B.C	42,400	245,400	16,506
" 12—Charlottetown	7,060	147,580	9,300
Issued to Militia Corps for league competition		87,360	
Totals	599,190	3,234,812	387,181

D. A. MACDONALD, Colonel,
Director-General of the Ordnance.

APPENDIX C.

TENANTS and Rental from July 1, 1903, to June 30, 1904.

Number of Tenants.	Station.	Rents received.
		$ cts.
1	London, M. D. No. 1	1 00
9	Toronto, Niagara } M. D. No. 2	473 25
24	Kingston, Ottawa } M. D. Nos. 3 and 4	1,057 65
6	Montreal, M. D. Nos. 5 and 6	272 25
40	Quebec, M. D. No. 7	2,093 93
9	St. John, M. D. No. 8	253 25
10	Halifax, M. D. No. 9	72 92
2	Charlottetown, M. D. No. 12	5 87
101	Total number of tenants. Total amount of rents received	4,230 12

D. A. MACDONALD, Colonel,
Director-General of the Ordnance.

APPENDIX D.

RETURN of Gunpowder and Friction Tubes for Practice and Salutes, July 1, 1903, to June 30, 1904.

Military Districts.	Stations.	Corps.	Gunpowder.	Friction Tubes.
			Lbs.	No.
No. 1 ..	London.....	Field Batteries of Artillery...	618¼	590
2....	Toronto			
3....	Kingston.....	Field and Garrison Artillery, Royal Military College and Royal Canadian Artillery..... ..	1,225½	1,235
4....	Ottawa.	Ottawa Field Battery and Salutes.....	756	363
5 & 6.	Montreal	Field and Garrison Artillery and Salutes.....	488¾	350
7....	Quebec.....	" "	5,999	3,378
8....	St. John, N.B.....	" "	548	460
9 ...	Halifax, N.S.....	" "	77	200
10 ...	Winnipeg	Winnipeg Field Battery and Salutes	1,143	1,141
12 ...	Charlottetown	Field Battery for Salutes.	825	220
		Totals...	11,680½	7,937

D. A. MACDONALD, Colonel,
Director-General of the Ordnance.

APPENDIX E.

DEPOSIT RECEIPTS.

The statement underneath will show the amounts received by the Ordnance Stores for ammunition and stores issued on repayment, as well as for military rents during the fiscal year ending June 30, 1904.

Ammunition.	Military Stores and Clothing.	Miscellaneous.	Rents.	Total Amount.
$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
7,629 97	5,454 44	5 35	4,230 12	17,319 88

D. A. MACDONALD, Colonel,
Director-General of the Ordnance.

REPORT OF THE DIRECTOR GENERAL OF MEDICAL SERVICES.

OTTAWA, January 5, 1905.

To the Honourable
The Minister of Militia and Defence,
In Militia Council.

SIR,—I have the honour to report on the medical services for the year ending December 31, 1904, as follows :—

I inspected all the divisional camps on the following dates :—

Divisional Camp,	London, Ont.	June 16.
"	Niagara, Ont.	" 18.
"	Rockliffe, Ottawa.	" 20.
"	Kingston, Ont.	" 30.
"	Laprairie, P.Q.	July 2.
"	Three Rivers.	" 4.
"	Lévis, P.Q.	" 6.
"	Sussex, N.B.	" 9.

SANITATION.

The sanitary condition of the camps in general was most satisfactory. The latrines, refuse pits and camp lines were kept very clean. They were inspected twice a day by regimental medical officers, and were under the personal supervision of the Principal Medical Officers.

LATRINES.

The dry earth system is the only one in use at present, and a disinfectant composed of dry earth and chloride of lime was used all through the camps with very good results. It would be a great improvement on the general sanitary condition of camp grounds if the septic tank system could be established in every permanent camp where water is available. This system provides for decomposition of fat matters and excrements in carbonic acid and ammonia, by the exposition of these elements to the close air in contact beds and septic tanks and in the absorption of liquid by a sytem of tiles distributed on a small area under the ground. Both refuse pits and latrines could be connected in one system, and in this way filthy pits and latrines might be done away with.

The above system could be established without any great cost and would be very beneficial to the militia in general.

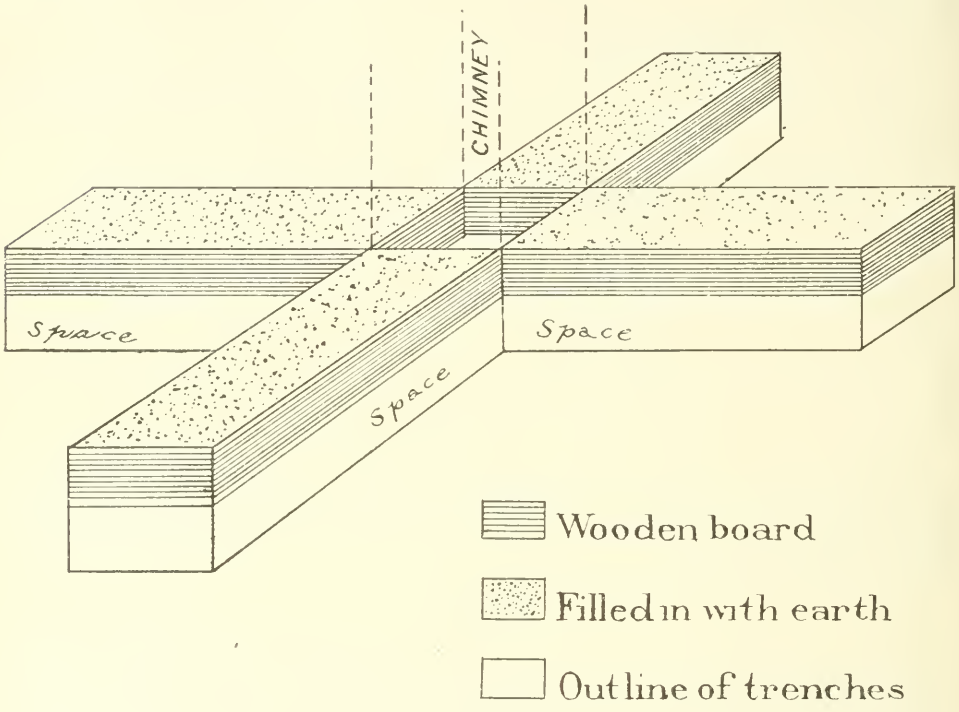
REFUSE PITS.

The common earth pits dug alongside each kitchen are at present in use and are very defective. To remedy this defect, I beg to suggest that, in future, refuse pits be made as follows :—

Two trenches, 8 feet long by 6 inches wide by 2 feet deep, dug crosswise leaving a chimney in the centre, 6 inches square. Four pieces of board, 3½ feet long, to be laid 6 inches from the bottom of the trenches, supported by cross wooden bars and covered with earth, so as to bring the ground surface on a level, leaving a centre *chimney*.

6 inches square, which will communicate with the four channels above mentioned. Over the top of this chimney, which should be on a level with the ground, a tin biscuit box or a wooden box perforated at the bottom with holes, ¼-inch diameter, should be placed. This will allow the liquid to drain through these holes and distribute its charge in the four trenches above mentioned, and be finally absorbed in the ground. The solid matters, after having dried, can be burned in kitchen fire.

Herewith is a draft of the above mentioned refuse pit,—dots showing earth; blank space—canals; straight lines—wood.



TRAINING.

All units of the Army Medical Corps had all or part of their training in camp.

FIELD HOSPITALS.

The work of the Field Hospital companies was performed in a most satisfactory manner. The large number of patients treated in hospitals, as shown by statistical report herewith attached (Appendix B) is the most convincing proof of the efficient work done.

DIETS.

It is proposed that next year a fixed amount per patient be granted to each field hospital towards dieting, each unit doing its own catering and cooking. For that purpose, I beg to propose that cooking ranges be supplied to each field hospital company, this being the only way to do away with the numerous complaints heard that patients are served cold and uncooked diets. Also a cooking house should be supplied for each field hospital company at every permanent camp ground.

BEARER COMPANIES.

The Bearer Companies performed this year only three days training in camp. This is very deterimental to the service. It is proposed for the future that Bearer companies will perform their twelve days annual training at camp, and thus be brought in contact with their twin unit, the field hospital company. It is also proposed that both Bearer companies and field hospitals, for the purpose of training in camp, be placed under one command, the senior officer in both units being detailed for that duty. It will enable these units to be instructed in their various general duties, and also in their work in connection with one another.

EQUIPMENT.

The equipment of both Bearer companies and field hospitals has been greatly improved during the current year, and I beg to strongly urge that the table of estimates proposed for the ensuing year be granted, as it will complete the organization of these units.

REGIMENTAL SERVICE.

A Bearer section has been formed and organized for each city infantry regiment with most satisfactory results. It is proposed that this same Bearer section be established in future for each rural infantry regiment. I beg also to request that:—

1st. A hospital corporal be added to the strength of all regiments of cavalry and batteries of artillery.

2nd. A hospital-sergeant to every regiment of infantry.

3rd. A horse be supplied each regimental officer in possession of a certificate of equitation.

PERMANENT ARMY MEDICAL CORPS.

The organization of this permanent unit for the medical service is nearly complete. It has enabled the medical officers in charge of station hospitals to train a nucleus of men in all branches of hospital work, and it is proposed that in future, classes of qualification be held at these stations for non-commissioned officers and men of the Army Medical Corps.

I have the honour to attach herewith a statistical report, showing :—

1. The number of patients treated in hospitals at permanent stations. (Appendix A).

2. The number of patients treated in Field Hospitals during the camps. (Appendix B).

This statistical report shows that the health of the troops in camp and at permanent stations has been very good.

No epidemic has occurred, and all precaution taken to avoid the spreading of infectious diseases. One case of smallpox occurred in London divisional camp. The patient was isolated, and the tents, equipment, and clothing were destroyed. In order to prevent, in future, such destruction of valuable property, I beg to propose that tanks, called the Brice Disinfecting tanks, be issued,—one for each field hospital company, and two at every permanent station hospital. The disinfection of clothing and accoutrements could thus be carried on locally with great saving of public funds.

I have the honour to be, sir,
Your obedient servant,

EUG. FISET, Colonel,
Director-General Medical Services.

APPENDIX A.

STATISTICAL RECORD — Abstract from Admission and Discharge Book.

Cases treated in Station Hospitals from January 1, 1904, to December 15, 1904.

Diseases.	R.M.C.	R.C.M.R.	R.C.F.A.	R.C.G.A.	No. 1. Regt. Depôt.	No. 2. Regt. Depôt.	No. 3. Regt. Depôt.	No. 4. Regt. Depôt.
Abscess		3	2	7	2	5		1
Abrasion				1				
Adenitis				4	1			
Agua				1				
Alcoholism			1	6	1		2	
Albuminuria				1				
Anthrax				1				
Apoplexy of lungs				1				
Appendicitis	3			2		1		1
Balanitis			2			2		
Biliousness	4	4			4		4	
Blepharitis								1
Blistered feet			3	8				
Boils	3	10	4					7
Bronchitis	8		14	13			3	
Bubo						2		
Burns			2	2	2			
Bleeding of nose		1						1
Blood poisoning				6				
Catarrh			1	15				
Carbuncle				1				
Contusions		9	2	19			2	
Conjunctivitis		2		1				
Condylomata				1		1		
Constipation				3		2		
Colic	1	1	8	1				
Cephalagia				2				
Colitis				2				
Cold		5			17	8	20	11
Convulsions			1					1
Cirrhosis of liver				1				
Cystic tumour				1				
Cramps								1
Chancroids						1		
Debility			1					
Diarrhœa	9	3	2	7	1			
Dislocated elbow								1
Dislocated shoulder	3							
Delirium tremens and heart disease		1						
Diphtheria				1		1		
Dyspepsia			3	8		2		
Epilepsy		1		2				
Erysipelas				3				
Enteritis				1				
Erythema				1				
Ecchymosis				1				
Eczema		1	1		1	1	2	
Empyema						2		
Enlarged cervical glands	2							
Fractures		2	1	5		1	1	
Frost bites			1			1	1	1
Fever, rheumatic		1						
Fractured clavicle							3	
Fractured fibula							1	
Gastritis			4	2			5	3
Gonorrhœa			12	32	1	5	1	4
Gonorrhœa and orchitis				1				
Gravel				1				
Grippe		7	42	67		21	3	3
German measles								1
Gum boil				1				
Hæmorrhoids				2		3	1	
Headaches			1					2
Heat apoplexy			1					
Hernia					1	2		
Herpes					1			
Heart disease		1				1		

APPENDIX A—*Concluded.*

Diseases.	R.M.C.	R.C.M.R.	R.C.F.A.	R.C.G.A.	No. 1 Regt. Depôt.	No. 2 Regt. Depôt.	No. 3 Regt. Depôt.	No. 4 Regt. Depôt.
Haemoptysis				2				
Hepatitis				1				
Hydrocele				1	1			
Insomnia				3				
Insolation				1				
Insanity				1				
Influenza	39				2			
Indigestion	1					2		
Injuries to hands								2
Injuries slight	15		15					
Infected heel							1	
Infected toe							1	
Inguinal hernia and double							1	
Impetigo contagiosum						2		
Laryngitis				2			1	
Lateral sclerosis						1		
Lumbago		1	3	7		1		
Malarial			1			1		
Muscular rheumatism				3			1	
Morphinism		1	2					
Myalgia		1	4	2		9		
Nervousness								1
Neurasthenia			2					
Orchitis			5	3	1	1		2
Ophthalmia						2		
Opium smoker				1				
Peritonitis				1				
Pediculus			4					
Perineal abscess							1	
Pneumonia		1		1				1
Pharyngitis						1		
Pleurodynia			1	3				
Pleurisy				1				3
Quinsy		3						
Rheumatism	1	2	17	4		6	3	1
Rupture of muscles				1				
Ringworm						2		
Scabies		1			2			
Sciatica				1		2		
Sebaceous cyst				1		1		
Syphilis primaria				8				
Syphilis secundaria			1	3				
Syphilis prim gonorrhoea				1				
Stomatitis			4	3				
Sore feet					3			1
Sprains		5	6	19		7	4	2
Synovitis	6		2	3	2	1		
Syncope						1		
Styes					1			
Tape worm			1					
Tonsillitis	25	3	7	6	7	13	1	2
Tinea soleum						1		
Tuberculosis, acute				2				
Urticaria						1		
Ulcers				7			1	
Vaccination						1		
Varicose veins		2			1			
Wounds		6	8	11	1	20	2	
Totals	120	78	192	338	53	138	66	54
Operations	4	1	3	6	2	2	2	1
Deaths		3		4				
Discharged, medically unfit		1	2	1			1	
Remaining in hospital		2	4	21	3	5	3	1
Grand totals	124	85	201	370	58	145	72	56

EUG. FISET, Colonel,
Director-General of Medical Services.

APPENDIX B.

STATISTICAL RECORD.

Cases treated in Field Hospitals at Divisional Camps, 1904.

(Abstract from Admission and Discharge Book).

Diseases.	No. 1 Div. Camp.	No. 2 Div. Camp.	No. 3 Div. Camp.	No. 4 Div. Camp.	No. 5 Div. Camp.	No. 6 Div. Camp.	No. 7 Div. Camp.	No. 8 Div. Camp.	No. 9 Div. Camp.	No. 12 Div. Camp.
Alcoholism	2	2		1						
Abscess	3	6		1			1	1	5	1
Appendicitis	1				1	1				
Abrasions (skin)						6				
Bruises		12	5				1			
Blood poison							1			
Bursitis		1								
Bronchitis		3	3		2	1	1		1	
Boils		3		3	6					
Burns					3					
Bright's disease		1								
Blepharitis					1				1	
Blistered feet	4	23			3	7				7
Biliousness							1			3
Coryza									43	
Colds	6	7	8					8		2
Constipation		6	1	1	12	8			5	1
Conjunctivitis	5	4		1	2	2	3			1
Colic		4	3						1	
Cornea		1								
Chancre, hard		1								
Cellulitis				2		7	3		5	
Corneal ulcer				1						
Cephalalgia	11	18	2				2	10		15
Corns					1					
Caries of tooth						1				
Chills and fever										2
Diarrhœa	8	12	4	4	72	40		1	46	8
Diphtheria	1									
Dislocations		1				4				
Dyspepsia	6	4		4						
Dysentery									2	
Dermatitis						10			1	
Epilepsy		3			1					
Eczema		5	1							
Exhaustion					1					
Erythema Solaris						7				
Epistaxis						1				
Fainting		3						1		
Felon	1				2					
Furuncle						16			7	
Foreign body in eye									1	
Gastritis		8	1	1	13	12				
Gonorrhœa		2	1		1					
Gastro enteritis						4	25			
Gastric cramps										3
Heat prostration		2								
Herpes		1								
Hammer toe		1								
Housemaid's knee		1								
Hæmorrhoids	1	4			5	1				

APPENDIX B—*Concluded.*

STATISTICAL RECORD, &c.—*Concluded.*

Diseases.	No. 1 Div. Camp.	No. 2 Div. Camp.	No. 3 Div. Camp.	No. 4 Div. Camp.	No. 5 Div. Camp.	No. 6 Div. Camp.	No. 7 Div. Camp.	No. 8 Div. Camp.	No. 9 Div. Camp.	No. 12 Div. Camp.
Hernia					2					
Hæmaturia				1						
Heart disease								1		
Hysterical attack								1		
Injuries	3				33		12	12	4	
Incised wounds		3								
Impetigo, contagious		1								
Influenza				2		2				
Infected hand										2
Iritis						1				
Indigestion									2	
Myalgia			5			1	3			
Megrim			1							
Mumps		1	1							
Measles		1		1						
Nausea		2						2		1
Neuralgia		1	2						4	
Orchitis						1				
Odontalgia		2	1	2		3		25	3	10
Pediculus	1									
Peritonitis	1									
Pneumonia	1	1								
Poison ivy		1								
Pleurisy		1	3							1
Pharyngis			2							
Pleurodynia				3			1			
Quinsy		2								
Rheumatism	3	4	2		8	5				
Small-pox	1									
Sprains	4	9	1			3				
Sunburn	1						2	12		2
Synovitis	1							1		
Sunstrokes		16								
Scabies			2				2			
Septic hand		3								
Syncope				1						
Syphilis					2					
Saddle galls		6								
Sore feet									2	
Tonsillitis	5	10	2			4	4	1		
Thrown from horse										1
Thorax, severe blow						1				
Teeth extracted								25		
Urticaria		1	1							
Uræmic convulsions				1						
Ulcers						2				
Varicocele		2								
Vaccination		1								
Wounds	3		3	3		29	1		11	
Transferred to civil hospital	2	5	5	2		4	1			
Total cases	75	212	60	35	171	184	64	101	144	60

EUG. FISET, Colonel,
Director General of Medical Services.

REPORT OF THE DIRECTOR OF INTELLIGENCE.

OTTAWA, January 5, 1905.

The Honourable
The Minister of Militia and Defence,
In Militia Council.

SIR,—I have the honour to submit a report on the Intelligence Division for the year ending December 31, 1904.

During the year the establishment of the Intelligence Division was completed by the appointments of Lieutenants G. B. Wright, L. G. VanTuyl, R. W. Stephenson and S. H. Osler, as staff lieutenants, for mapping and general work.

The information section has been placed in working order and the collection of maps and reports materially added to.

The mapping section during the summer surveyed over 2,000 square miles, in addition to 600 miles of 'level' lines and 600 miles of 'transit' lines in the district between London and Niagara-on-the-Lake, Ontario. The country around Sussex, N.B., and Kentville, N.S., was also surveyed, which will enable special manœuvre maps to be produced of these districts. Manœuvre maps were also prepared and issued for use at all the annual camps.

This section is much indebted to the kind assistance afforded it by Mr. J. White, the geographer of the Department of the Interior.

Much advantage to the public service would result could a committee be formed of representatives of the different government survey branches, for the purpose of settling upon a policy of mutual assistance. This would prove a saving of public money by avoidance of duplication and unnecessary work.

CORPS OF GUIDES.

The establishment of the Corps of Guides, both for peace and war, has been definitely laid down.

During the summer camps special courses for Corps of Guides' officers were held at Niagara-on-the-Lake and Kentville, N.S., under the supervision of the Director General of Intelligence. A syllabus of subjects for the examination of the officers was approved and the courses were attended with most satisfactory results. The system followed was one of theoretical work and lectures on the organization of the various arms of the Canadian service and in foreign armies ; on the duties of Intelligence Officers in peace and war ; and on military topography, combined with practical work in the field, comprising sketching, and the little understood and less practised art of military reconnaissance. No more time than was absolutely necessary was given to parade movements, knowledge of drill being of minor importance in a corps intended for intelligence duties in time of war. Considering the short time available for the course, an amount of work was got through which could not have been effected except by working long hours and by the hearty co-operation and keenness of all concerned. The officers of the Guides were thus enabled not only to acquire a good foundation of the higher branches of military knowledge, but also to familiarize themselves with the topography of the greater portion of the districts around the respective camps.

Valuable as such a corps proved in Natal during the South Africa war, its value to a country such as Canada can hardly be over-estimated. It not only forms an indispensable adjunct to an Intelligence Department, but it enables Canada to be covered by a network of capable officers, trained during peace in their special duties, and who would be invaluable to a General in the field from their knowledge of every part of the country.

I have the honour to be, sir,
Your obedient servant,

W. A. C. DENNY, Lt.-Col.,
Director of Intelligence.

REPORT OF THE DIRECTOR OF ENGINEER SERVICES.

OTTAWA, December 31, 1904.

The Honourable
The Minister of Militia and Defence,
In Militia Council.

SIR,—I have the honour to submit my report on the engineer services for the year ending December 31, 1904.

RIFLE RANGES.

The important work on rifle ranges has progressed favourably during the past year. The following ranges have been completed in that period, namely :—

Vancouver, 16 targets.
Winnipeg, 24 targets.
Niagara camp grounds, 12 targets.
Cobourg, Ont., 6 targets.
Kentville, N.S. (Aldershot camp grounds), 16 targets.
Moncton, N.B., 6 targets.
Fredericton, N.B., 6 targets.

The construction of these ranges has been of a permanent nature. Concrete for retaining walls and steel target frames were used, with the exception of that at the Niagara camp grounds, which was fitted with cedar revetment and steel target frames.

Plans of sites and construction are now being prepared for a number of ranges for next season's work.

QUEBEC WALLS.

The work of pointing and rebuilding the old fortification walls at Quebec has been carried on satisfactorily during the past season, and a large amount of work done.

A similar amount must be carried on annually, for some years to come, especially at the walls in the citadel.

WATER SUPPLY, ROYAL MILITARY COLLEGE.

The new filter system in connection with the water supply referred to in my last report has given every satisfaction since its instalment, the filtered water having been tested bacteriologically regularly, and found pure.

In the various military districts, the necessary repairs, as far as the appropriation would allow, were made to barracks, rifle ranges and drill halls to keep them in good order.

PERMANENT CORPS.

The establishment of a permanent corps of engineers, designated the Royal Canadian Engineers, was authorized on July 1, 1903, consisting of :—

1 Lieutenant-Colonel.
1 Major.
1 Captain.
1 Adjutant.
4 Lieutenants.
1 Sergeant-Major.
11 Sergeants.
6 Corporals.
5 2nd Corporals.
101 Sappers.

The officers are distributed as follows:—

Commanding Officer on the headquarter staff as Director of Engineer services, with the second in command as Assistant Director, to administer the engineer service branch of the Department of Militia and Defence.

The captain, adjutant and sergeant-major are also at headquarters, to assist in administering the corps.

The four lieutenants are stationed as follows:—

One each at Toronto, Kingston, Quebec and Fredericton, with a detachment of the corps.

They act as division officers in charge of engineer services in their division under orders from the Director of Engineer Services at Ottawa. It is intended that these officers with their detachments are also to act as instructors in military engineering for the Active Militia, when required.

It is not proposed to enlist men as sappers in this corps unless they have special qualifications as mechanics.

This class of men are difficult to obtain, which renders the organization of the personnel of the corps rather slow.

Other Engineer Units now Established in Canada.

There are at present four field companies of engineers in the Active Militia, whose training must necessarily be of a very general character, owing to the fact that there are no special units such as railway companies, telegraph sections, bridging units, &c., yet organized.

RAILWAYS AND TELEGRAPHS.

The manner in which the railways and telegraphs, respectively, should be administered in time of war, in Canada, is somewhat similar.

In the case of railways, the necessity for the existence of a military controlling staff in war, in conjunction with the civil operating staff, has been conclusively pointed out in 'The History of the Railway during the War in South Africa, 1899, 1902,' by Lt.-Colonel Sir Percy Girouard, K.C.M.G., D.S.O., R.E., Director of Railways, South African Field Force.

The duties of this military staff of officers would be :—

(*a*) To keep the military commanders fully informed of the capacity and possibilities of the railway, and to convey their orders and requests to the civil railway staffs ;

(*b*) To protect the civil railway administration from interference by military commanders, in fact, to act as intermediaries between the army and the civil railway officials.

The above applies equally in Canada to the permanent telegraphs, operated by the different civil telegraph companies in the country.

Referring again to the railways, Sir Percy Girouard states in his report that "It has been conclusively proved that railway staff officers must belong to the Director of Railways' Department, and be under his orders, and not be on the staff of officers commanding lines of communication. Both systems have been tried, and after nearly two years' trial the Commander-in-Chief decided on placing the railway staff officers under the Director of Railways. Again, it is absolutely necessary that the Director of Railways' staff should be paramount on the railway.....It is not too much to say that unless it (this system) had been adopted in South Africa, the chaos would have been past belief."

The above also applies generally to the telegraphs. It is now absolutely necessary, in the event of war, when operations are carried on by an army spread over a widely extended area, to have field telegraph units with special equipment attached to an army. These units would be in addition to the permanent telegraphs, but acting in conjunction with them.

PROPOSALS.

It is strongly recommended for the Canadian Militia:—

(1.) That arrangements be made to ensure the co-operation of the civil officials of the different railway and telegraph companies in the country in time of war.

(2.) That two officers be appointed on the non-permanent militia staff, one as Director of Railway and one as Director of Telegraphs. These officers to be selected for their experience in their respective branches, and they with the assistance of staff officers in time of war will act as intermediaries between the army and the civil railway and telegraph officials.

These Directors in time of peace to be immediately under the Director of Engineer services at militia headquarters, and in time of war to be responsible to the Commander-in-Chief of the field force.

Until measures are taken to properly proportion the different arms of the service, I would recommend for the present, as urgently required, in addition to the four field companies now in existence, and in order that the Canadian Militia may be able to take the field successfully:—

(1.) That four telegraph sections be established and equipped as soon as possible.

(2.) That war equipment for the four field companies, with the exception of such as can be procured in the country at short notice, be purchased and placed in their charge. They are at present practically without technical equipment, although some equipment, for training only, has been ordered.

(3.) That all, or at least a portion of the dismounted personnel of each field company be made more mobile by providing vehicles or horses to carry them, vehicles preferred. This is strongly recommended by officers who were in command of field companies in South Africa.

For instance, the officer commanding the 38th Field Company reports as follows:—

'To my mind the greatest difficulty about a field company is its want of mobility. At present men after a long march are expected to be able to work as if they had been fresh, although they are often very tired, and also in need of food.'

With reference to an army in the field, provision should be made for an engineer officer of field rank, on the staff of an infantry division, as Commanding Engineer, in order to admit of the most advantageous direction of the Engineer arm.

TECHNICAL TRAINING.

It has been found impracticable to properly carry out engineer technical training in the Canadian Militia unless the engineer units go into camp for this purpose.

An endeavour is now being made to induce at least a large proportion of each field company to perform their technical training at a camp of instruction.

The headquarters of the proposed engineer units should be at a city or large town, in order that a proportion of the personnel can be more thoroughly trained by voluntary attendance at lectures and drills in order to become efficient in the more difficult part of their work.

It is endeavoured to obtain officers and non-commissioned officers from men engaged in the engineering profession and mechanical trades. It is difficult, if not impossible, for these men to leave their civil occupations for a long enough period to undergo extended courses at schools of military instruction, away from their headquarters, to obtain the necessary qualifications. It is, therefore, proposed to establish provisional schools at the headquarters of these units.

ESTABLISHMENTS.

Following is a statement showing the establishments proposed for a field company and a telegraph section.

EQUIPMENT.

A list of the equipment now on charge in each field company, a list of that which they should have and which cannot be procured in the country, and a list of that which they should have and which can be procured in the country, is attached (not printed). A list of equipment of one telegraph section is also attached (not printed).

PAUL WEATHERBE, Lt.-Col., R.C.E.
Director of Engineer Services.

The report of the D. of E. S. for the past year is forwarded. The D. of E. S. submits recommendations in relation to Railways and Telegraphs which are sound and deserve careful consideration.

W. H. COTTON, Col., M.G.O.

SESSIONAL PAPER No. 35

PEACE AND WAR ESTABLISHMENT—Canadian Engineers—*(Telegraph Section.)*

RANKS.	PERSONNEL.										HORSES.				
		Sergeants.		Artificers.	Trumpeters.		Rank and File.		Total.			Public.			
	Officers.	Mounted.	Dismounted.	Mounted.	Mounted.	Dismounted.	Mounted.	Dismounted.	Mounted.	Dismounted.	Officers.	Riding.	Draught.	Pack.	Total.
Officers	2								2		4				4
Sergeants		1	1						1	1		1			1
Artificers.															
Shoeing and carriage smith				1					1			1			1
Trumpeters					1				1			1			1
Rank and File.															
Corporals							1	1	1	1		1			1
Lance Corporals							1	2	1	2		1			1
2nd Corporals							1	1	1	1		1			1
Sappers								20		20					
Batmen							2		2						
Drivers							20		20			1	30		31
Wagonmen							2		2						
Totals	2	1	1	1	1		27	24	32	25	4	7	30		41

Transport.	Number.	Drivers.	Draught Horses.	Remarks.
Carts—				
Cable	1	1	2	* One of three air line wagons will require four horses only.
Forage	2	2	4	
Wagons—				
Air line	3	8	16*	
G. S. (technical)	1	3	6	
Spare		6	2	
Totals	7	20	30	

PEACE ESTABLISHMENT—Canadian Engineers—*(Field Company.)*

RANKS.	PERSONNEL.						HORSES.				
							RIDING.				
	Headquarters.	No. 1 Section.	No. 2 Section.	No. 3 Section.	2nd Line Defence.	Totals.	Officers.	N. C. O. and Men.	Draught.	Pack.	Totals.
OFFICERS.											
Major	1					1	1				1
Captains	1				1	2	2				2
Subalterns	1	1	1	1	1	5	5				5
Medical Officer	1					1	1				1
Staff-Sergeant and Sergeants.											
Co'y Sergt.-Major	1					1					
Co'y Q. M. Sergt. (mounted)	1					1		1			1
Sergeants (mounted)	1					1		1			1
" (dismounted)	2	1	1	1	1	6					
Artificers.											
Shoeing and carriage smith (mounted)	1					1		1			1
Wheeler	1					1					
Collarmaker (sapper)	1					1					
Bugler and Trumpeter.											
Bugler	1					1					
Trumpeter (mounted)	1					1		1			1
Rank and File.											
Corporal (mounted)				1		1		1			1
" (dismounted)		2	2	2	1	7					
2nd Corporal (mounted)			1			1		1			1
" (dismounted)		2	2	2		6					
Sappers	3	40	40	40		123					
Drivers+	10	2	2	2		16			28	2	30
Wagonmen (sappers)	2	1	1	1		5					
Batmen (drivers)*	5	1	1	1	2	10					
Totals	34	50	51	51	6	192	9	6	28	2	45

\+ 2 for each double tool cart.
* 1 Batman for Co. Q.M.S. and mounted Sergeant.

Transport.	Number.	Drivers.	Draught Horses.	Pack Horses.
Cart—double tool for technical equipment	4	8	16	
Carts, forage—for supplies for company	1	1	2	
Wagon, forge, O. S. mk. III., for company and technical equipment	1	1	2	
Wagons, pontoon	2	4	8	
Pack		2		2
Totals		16	28	2

REPORT OF THE CHIEF OF THE GENERAL STAFF.

OTTAWA, January 5, 1905.

The Honourable
The Minister of Militia and Defence,
In Militia Council.

SIR,—I have the honour to report on the organization of the Militia Council, and the re-organization of the headquarters staff consequent thereupon.

ORGANIZATION MILITIA COUNCIL.

In accordance with the provisions of the new Militia Act (Chap. 23, 4 Ed. VII., an Act respecting the Militia and Defence of Canada) promulgated in the *Canada Gazette* of November 1, 1904, steps were taken in September last to organize a Militia Council as indicated in paragraph 7 of that Act.

With this end in view, the new offices at headquarters authorized by the same Act were created, and the following officers were appointed to hold them:—

Chief of the General Staff, Brigadier General P. H. N. Lake, C.B.

Master-General of the Ordnance, Colonel W. H. Cotton.

Inspector-General, Colonel Lord Aylmer.

Other consequent changes upon the headquarters staff were as follows:—

Colonel H. B. Vidal, D.A.G., was appointed Adjutant-General, vice Lord Aylmer, appointed Inspector-General; Colonel D. A. Macdonald, I.S.O., was appointed Quartermaster-General, vice Colonel Cotton, appointed Master-General of the Ordnance.

The office of Director-General of the Ordnance, vacated by Colonel Macdonald, was merged in the new appointment of Master-General of the Ordnance. The ground being prepared by these appointments, the Militia Council, modelled after the pattern of the Imperial Army Council, was authorized and constituted by Order in Council of November 17, 1904, as follows :—

President.—Honourable Sir F. W. Borden, K.C.M.G., M.P., Minister of Militia and Defence.

1st Military Member.—Brigadier-General P. H. N. Lake, C.B., Chief of the General Staff.

2nd Military Member.—Colonel B. H. Vidal, Adjutant-General.

3rd Military Member.—Colonel D. A. Macdonald, I.S.O., Quartermaster-General.

4th Military Member.—Colonel W. H. Cotton, Master-General of the Ordnance.

Civil Member.—Colonel L. F. Pinault, C.M.G., Deputy Minister of Militia and Defence.

Financial Member.—J. W. Borden, Esq., Accountant, Department of Militia and Defence.

Secretary.—E. F. Jarvis, Esq., Chief Clerk, Department of Militia and Defence.

DUTIES.

Under the authority of the same Order in Council, amended by that of December 7, 1904, the subjects dealt with by the several members of the Militia Council are as follows :—

The Chief of the General Staff, as first Military Member, is charged with :—

(1.) Advice on questions of general military policy.

(2.) The organization of the military forces for active service.

(3.) The military defence of the Dominion.

(4.) The collection of intelligence.

(5.) The training of the military forces and their employment when on active service.

(6.) Education of staff officers.

(7.) Telegraphs and signalling.

(8.) Selection and administration of the general staff in the field.

(9.) Preparation, jointly with the Finance Member, of estimates for the above services.

The Adjutant-General, as second Military Member, is charged with :—

(1.) Raising and peace organization of the military forces.

(2.) Maintenance of the establishments in officers and men.

(3.) Distribution of units to stations and orders for the mobilization of units.

(4.) Questions relating to the personal services of officers and men.

(5.) Appointment, promotion and retirement of officers.

(6.) Honours and rewards.

(7.) Promulgation of orders to the militia.

(8.) Education of officers, warrant officers, non-commissioned officers and men.

(9.) Discipline and interior economy.

(10.) Ceremonial.

(11.) Administrative arrangements connected with military training and education ; Royal Military College.

(12.) Selection and administration of Adjutant-General staff.

(13.) Preparation of the Militia List.

(14.) Medical and sanitary questions.

(15.) Preparation, jointly with the Finance Member, of estimates for the above services.

The Quartermaster-General, as third Military Member, is charged with :—

(1.) The organization and training of all transport, remount, supply and barrack services.

(2.) Settling the reserves of food, clothing, equipment, general stores and material to be held in depôts, garrisons or mobilization stores, and the scales of such articles to be in possession of the troops.

(3.) Holding and issuing all military stores.

(4.) Administration of the transport, remount, railway, supply, barrack, ordnance and veterinary services.

(5.) Compensation for injuries to men, animals or matériel.

(6.) Selection of officers for employment in the above services.

(7.) Administration of the Ordance Stores Corps.

(8.) Arrangements for postal services.

(9.) Advising and assisting the Deputy Minister, Militia and Defence, in making arrangements for contracts for the above services.

(10.) Preparation, jointly with the Finance Member, of estimates for the above services.

The Master-General of the Ordnance, as fourth Military Member, is charged with:

(1.) The armament of the forces, including mines, electric lights and all accessories.

(2.) Sites, designs and armaments for permanent defences.

(3.) Settling scales of reserves of arms and ammunition of all kinds.

(4.) Patterns, provision and inspection of guns, small arms, ammunition and artillery and engineer technical stores and vehicles.

(5.) Inspection of the process of manufacture in the ordnance factories, and control of ordnance workshops.

(6.) Construction and maintenance of fortifications, artillery and rifle ranges. Preparation of general plans for all military buildings.

(7.) Maintenance of barracks and military buildings and lands in military occupation.

(8.) Administration of the engineer staff employed in the above works.

(9.) Personnel of the technical inspection staff.

(10.) Technical instruction at artillery and engineer schools and courses.

(11.) Technical artillery and engineer questions.

(12.) Preparation, jointly with the Finance Member, of estimates for the above services.

(13.) Advising and assisting the Deputy Minister. Militia and Defence, in making contracts for guns, ammunition and works constructed under his control.

The Deputy Minister, Militia and Defence, as Civil Member, is charged with:—

(1.) The interior economy of the Militia Department.

(2.) The administration of non-effective votes.

(3.) Parliamentary business and reports to Council.

(4.) Formal communication with other Departments of State.

(5.) The preparation of papers for submission to the Militia Council, of official reports of its proceedings, and record of the decisions taken.

(6.) The administration of contracts, in consultation with the branches specially concerned.

(7.) Arrangement for the construction of new barracks and other buildings.

(8.) The custody of militia lands not in military occupation, and purchase of land for military purposes.

(9.) Such other business as the Minister may allot to him.

In the absence of the Minister of Militia he will act for him in all matters of ordinary business.

The Accountant of the Department. Militia and Defence, as Finance Member, is charged with:—

(1.) The consideration and compilation, in concert with the various branches concerned, of the annual estimates for militia services.

(2.) The review of contracts and administration of the Militia Accounts Branch.

(3.) General consideration of the cost of the Militia.

(4.) Financial advice to the several branches of the Department.

(5.) Audit of military accounts.

The Militia Council held its first meeting on November 28, 1904, and has held meetings weekly, or oftener, ever since.

The main subjects so far dealt with by the Militia Council have been:—

(*a*) Rules for the conduct of the business of the Council and for record of its proceedings.

(*b*) Rules for the conduct of business in the Department consequent upon the establishment of the Council.

(*c*) Devolution and distribution of the duties of the several members of the Council between the subdivisions into which their Branches are divided.

(*d*) Discussion in its preliminary stages and settlement of policy of a large measure of decentralization, conferring wider powers and responsibilities upon Officers commanding districts.

(*e*) General questions of defence policy.

(*f*) Preparation of Annual Estimates.

The advantages which it is hoped to attain by the constitution of the Militia Council may be shortly summarized as follows :—

In the first place the Minister of Militia and Defence will have frequent opportunities, at regularly appointed times, of meeting in conference the Heads of the Branches who are responsible for the conduct of the whole of the business of the Militia Department under him. There will be the freest exchange of opinions and the fullest discussion upon all subjects brought before him. The Minister will thus be brought into closer touch with the officers actually concerned in carrying out his policy, while they, on the other hand, will have better opportunities of making themselves acquainted with that policy.

Continuity and co-operation, elements essential to the successful conduct of any large undertaking, and especially to the conduct of a government department spending large sums of money, will be greatly facilitated. Want of continuity has been one of the greatest defects in the hitherto existing system. Successive general officers commanding have held varying views as to policy. The policy adopted by a new general officer commanding has often, indeed usually, been a departure from that of his predecessor in office. And this not necessarily because he differed from his predecessor, but because there was no record to show him clearly what that policy was, and why it was adopted. Hence the progress made has not been commensurate with the labour expended. As regards co-operation, measures proposed by members of Council in the execution of the duties assigned to them will now be subject to the criticism and discussion of other members, whose duties will be more or less affected by those measures, hence co-ordination of work will be rendered easier and the danger of one branch working in ignorance of the action of another branch will be minimized.

The power conferred upon each member to bring before the Council any subject upon which he may think it desirable to obtain the opinion of his colleagues before the final decision of the Minister, will, it is hoped, minimize references and cross references, and the writing of minutes between different branches, in a marked degree.

The fact that all great measures of policy will have been discussed and threshed out in Council before being acted upon, will, it is hoped, increase the confidence of the Militia in the action taken, by reason of the knowledge that such policy must have been considered in all its bearings.

The duty imposed upon each member of framing the estimates of his department, in conjunction with the Finance Member, will lead to increased attention being paid by the Military Members to possible savings of expenditure, and ought to combine economy with increased efficiency.

Lastly : The Minister, before finally deciding upon any large question, can feel assured that, as it has been discussed in Council in his presence, he has heard all the arguments of any weight which can be adduced for or against that measure.

The freshly created office of Inspector-General is an integral part of the new organization. The duty of the Militia Council is to administer, not to command the Militia. Executive command being vested in officers commanding districts outside the Militia Department, who are responsible for the training and efficiency of all troops within their districts, an independent inspecting-officer is provided to report on the training and efficiency of the troops for the information of the Council.

The duties of the Inspector-General are as defined in the following order of His Excellency the Governor-General in Council :—

'That the duties of the Inspector-General of the Militia, shall be, under the orders and direction of the Minister of Militia and Defence in Council, to inspect and report to the Minister of Militia and Defence in Council, upon the efficiency and training of all troops under the control of the Government of Canada, on the suitability and sufficiency of their armament and equipment, on the condition of fortifications and defences, and, generally, on the readiness and fitness of the military forces of Canada for war.'

I have the honour to be, sir,
Your obedient servant,

P. LAKE, Brigadier-General,
C.G.S.

REPORT

OF THE

DEPARTMENT OF LABOUR

FOR THE

YEAR ENDING JUNE 30

1904

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY S. E. DAWSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1905

[No. 36—1905.]

To His Excellency the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom, and a Baronet; Knight Grand Cross of the Most Distinguished Order of St. Michael and Saint George, &c., &c., Governor General of Canada.

My Lord :

I have the honour to forward to Your Excellency the accompanying Report of the Department of Labour of the Dominion of Canada, for the year ending June 30, 1904. which is respectfully submitted.

I have the honour to be,

My Lord,

Your Excellency's most obedient servant,

W. MULOCK,

Minister of Labour.

Department of Labour,
Ottawa, December 1, 1904.

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ANNUAL REPORT

OF THE

DEPARTMENT OF LABOUR

FOR THE

YEAR ENDING JUNE 30

1904

DEPARTMENT OF LABOUR, CANADA,
OTTAWA, September 1, 1904.

To the Honourable Sir WILLIAM MULOCK, K.C.M.G.,
Minister of Labour.

SIR,— I have the honour to submit a report on the work of the Department of Labour for the fiscal year ending June 30, 1904.

The work of the department has increased considerably during the past year. Not only has the work of previous years been continued on a more thorough and extensive scale, but entirely new duties have been added. Most important in connection with the latter has been the administration of the Railway Labour Disputes Act, which was introduced in the House of Commons, March 17, 1903, and was assented to on July 10, of that year. Additional work has also been occasioned by the publication during the year of the report and evidence of the Royal Commission appointed to investigate industrial disputes in the province of British Columbia. The report was completed early in the month of July, but much of the evidence had to be extended in the department after that time. The evidence and exhibits were prepared for publication, and the proof read and revised in the department.

The completed volume of the *Labour Gazette* for the year 1903-4 shows an addition of 230 pages compared with the volume of the year preceding, and of 500 pages

compared with the volume of the *Gazette* for 1901-2. As the *Gazette* contains the statistical and descriptive information relating to industrial conditions in the Dominion as gathered by the department and prepared for publication, the increase in the size of the *Gazette* is a good indication of the increased work which the department has undertaken and carried out in connection with that publication.

The duties of the fair wages officers have also been more onerous during the year than in any year preceding, the number of fair wages schedules prepared for other departments of the government being considerably in excess of those required in previous years.

Only in the number of cases of intervention under the Conciliation Act of 1900, was there a falling off as compared with previous years. This, however, is not to be attributed to any want of appreciation of the services of the department in this regard as compared with previous years, but to the fact that the industrial disputes of importance were fewer during the fiscal year 1903-04 than in any former year of the department's existence. Intervention was requested in connection with the most important disputes, and it was undoubtedly owing to the influence of the department, among the other causes, that the strike record, considered from the view point of industrial peace was as favourable as it was.

In no previous year has the correspondence of the department been so extensive or varied. Requests for information on industrial conditions and on matters of concern to labour in Canada have been received from many parts of the world, and from a large number of organizations and individuals in the Dominion, and all have received careful acknowledgment.

Staff of the Department.

No additions or changes were made to the inside staff of the department during the year. The staff of correspondents of the *Labour Gazette*, which is supplementary to the staff of permanent clerks resident at Ottawa, numbered 34 at the end of the year.

The following appointments for cities and districts not previously represented on the staff of the correspondents to the *Gazette* were made during the year :

Mr. John Moffatt, correspondent for Sydney, N.S., and district.

Mr. James A. Wiley, correspondent for St. Catharines, Ont., and district.

Mr. W. J. Johnston, correspondent for Peterborough, Ont., and district.

Mr. E. Barry, correspondent for Sault Ste. Marie and district.

Mr. Walter C. Macdiarmid, correspondent for Belleville, resigned his position during September, 1903, and was succeeded as correspondent by his brother, Mr. H. C. Macdiarmid, during November of that year. In May, 1904, a second correspondent was appointed for the city of Montreal, the appointee being Mr. T. J. Griffiths of that city.

Classification of the Work.

The work of the department may be classified under the following heads, under which a review of the work of the past year is given in this report :

1. Preparation and publication of the *Labour Gazette.*

2. Settlement of industrial disputes under Conciliation Act, 1900.

3. The carrying out of the Fair-Wages Resolution of the House of Commons of March, 1900.

4. The Railway Labour Disputes Act.

5. Royal Commission to investigate industrial disputes in the province of British Columbia.

6. Royal Commission to investigate the alleged employment of aliens by the Grand Trunk Pacific Railway Company.

7. The library of the department.

8. Correspondence and other work of the department.

9. Revenue and expenditure.

I. THE LABOUR GAZETTE.

THE *Labour Gazette* is published monthly, and contains as regular features of each issue a general summary of industrial and labour conditions in Canada during the preceding month, reports of local correspondents from the several cities of the Dominion, statistical tables and descriptive articles on strikes and lockouts, industrial accidents, the immigration and colonization movement, Canadian trade and revenue, new labour organizations formed, recent industrial inventions, and fair-wages schedules embodied in Government contracts, reviews of official reports of government departments and bureaus in this and other countries of interest to labour, reports of legal decisions in Canadian courts affecting labour, are also regular monthly features. In addition to the regular features are a number of special articles relating to subjects of contemporary interest to the industrial classes in the Dominion, and articles and statistical tables embodying the results of special investigations made by the department.

Monthly Summary of Industrial and Labour Conditions.

The article on industrial and labour conditions which appears in each issue of the *Labour Gazette* is intended to give in concise form a comprehensive review of the general condition and tendency of the labour market in Canada during the month preceding that in which it is published, and an account of the most important industrial happenings during that time. The article is based largely on the reports sent to the department by its correspondents in the several cities of the Dominion, but considerable use is also made of information gathered from the press through the agency of the clipping bureau in the department, and of information obtained by the department through correspondence, and in other ways.

An effort has been made during the year to improve this summary of industrial and labour conditions by way of increasing the amount of material which it contains and of presenting the information in a more definite and systematic form. So far as possible, the order followed is the same in the articles of the several numbers. In the opening paragraphs, a brief summary is given of the main features in the reports of the correspondents to the *Gazette* and of other information relating to industrial activity, the geographical distribution of industrial activity being particularly noted. In paragraphs immediately following, reference is made to important changes in rates of wages and hours of labour reported to the department as having taken place during the preceding month, and to variations in prices or rentals affecting the cost of living, also a brief statement as to the more important developments of the month affecting industry adversely, such as unfavourable weather conditions, strikes and lockouts, fires, industrial disasters and the like. Conditions in the several industries are then dealt with in detail under the headings of agriculture, fishing, lumbering, mining, manufacturing and transport. A paragraph summing up the conditions in the vari-

ous trades in added, and the article concludes with a reference to such subjects of general interest to labour, as important meetings of labour and industrial associations, manual training, municipal ownership, &c. A series of notes of the month are added at the close of the article.

An important feature in connection with this article is the addition which has been made during the year of a tabular statement, showing at a glance the condition of employment in the several trades and industries in the different cities. In this table the several trades are grouped side by side at the head of vertical columns to the left of which are given the cities of the Dominion, arranged as located from east to west. Under each trade and opposite each city is indicated the condition of the industry or trade during the month according as the employment has been favourable or unfavourable, the words 'active,' 'busy' and 'very busy,' being used to indicate favourable conditions, and the words 'quiet,' 'dull,' 'very dull,' to indicate unfavourable conditions. The table as a whole, especially when compared with the tables of previous month, serves as a useful barometer of conditions prevailing in the several trades over the Dominion as a whole.

Reports of Local Correspondents.

It is gratifying to report that the correspondents to the *Gazette* in the several cities have almost without exception, shown an appreciable improvement during the year in the manner in which they have discharged their duties, not only in connection with the written monthly reports but also in connection with other services required of them from time to time by the department, such as the supplying of satistical returns and information of a special nature. The practice adopted during the year 1902 of having all reports made on official forms requiring a uniform arrangement of the subject matter dealt with, has been continued.

Industrial Accidents in Canada.

An important feature added to the *Gazette* for the first time during the past year was a monthly article and table dealing with industrial accidents occurring to workingmen in the course of their employment in different parts of the Dominion. In previous years special articles appeared from time to time in reference to industrial accidents which were in the nature of disasters, but no attempt was made by the department to ascertain either the total number of accidents happening to workingmen in the several industries and trades or to classify the causes, nature and results of such accidents. The subject, though one of the greatest importance to workingmen, was not undertaken by the department at an earlier time, owing to the limited means at its disposal for gathering and classifying information. With the addition of another member to the staff it was possible, however, to undertake this, as well as other important branches of work during the year. Since November, 1903, each issue of the *Gazette* has contained a statistical table giving a record of industrial accidents arising during the preceding month, concerning which the department has been able to secure detailed information. The locality in which the accident has occurred, the nature of

the accident, the date of its happening and a statement of its cause and result are given in this table. A further classification is made according to the trades and industries, only such accidents being taken into account as have been sustained by workmen in the performance of their duties, and resulted in the loss of life or limb, or other serious impairment to industrial efficiency. A descriptive article has also been given in which a careful analysis of the statistical table is made by trades and industries and an extended account given of the most serious accidents reported during the month.

In securing the information embodied in this monthly statement, the department has relied largely upon its own correspondents, the co-operation of other government departments, and the press. Much available information has also been secured by correspondence with individuals or companies concerned. Wherever possible, particulars of each accident reported have been obtained in detail on a blank form specially prepared by the department for use in this connection, a copy of which is given herewith. Correspondents to the *Gazette*, report on industrial accidents in their localities upon the forms supplied to them, and also forward to the department such newspaper references to accidents in their localities as they may obtain and are able to verify. Among the government departments to which the Department of Labour is especially indebted for assistance in securing returns of accidents are the Bureau of Mines of Ontario and British Columbia, the office of the factory inspectors of Ontario, and the Department of Railways and Canals at Ottawa. All of these departments have co-operated with the Department of Labour in forwarding each month a return of accidents reported to them. The clipping bureau of the department has been utilized as a means of gathering supplementary accounts of industrial accidents recorded in the press.

As stated, the first statistical table on industrial accidents appeared in the November, 1903, number of the *Gazette*, and the returns which have been given since from month to month are quite sufficient to indicate that too much importance cannot be attached to them. For example, the record by months of workmen killed outright by accidents while actively engaged in their regular employments is shown by the information collected in the department and published in the *Gazette*, to have been as follows :—

October	49
November	61
December	42
January	75
February	69
March	59
April	59
May	78
June	76

In other words, it is shown by these records that no less than 568 workmen were killed outright in Canada during the 9 months from October, 1903, to June, 1904, inclusive, because, for the most part, of the precarious nature of the occupations

in which they were engaged. The number who have been injured to the extent of their industrial efficiency being for all time impaired, was naturally very much larger. Taking account of the first six months of the year, 1904, the tables published in the *Gazette* give the following record of persons injured, classified according to trade or industry :—

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV A. R.—No. 1.

STATISTICAL table showing number of persons killed or injured by accidents in Canada during the months January to June, 1904, inclusive, classified according to trades or callings.

TRADE OR INDUSTRY.	KILLED.	INJURED.	TOTAL.
Agriculture	46	35	81
Fishing and hunting	9	3	12
Lumbering	43	41	84
Mining	49	62	111
Building trades	19	61	80
Metal trades	41	229	270
Woodworking trades	6	89	95
Railway service	101	163	264
General transportation	38	88	126
Printing trades	..	2	3
Food and tobacco preparation	3	24	27
Clothing trades	1	7	8
Leather trades	3	1	4
Textile trades	..	6	6
Unskilled labour	5	35	40
Miscellaneous	36	166	202
Total	400	1,013	1,413

The record in the *Gazette* does not pretend to be complete. There are doubtless many accidents, numbers of which result fatally, and which workmen receive in the course of their employment, of which the public never hears. The information contained in the *Gazette* is, however, authentic and reliable as far as it goes, and is quite sufficient to indicate the nature and extent of this inevitable incident of modern industrial conditions which workingmen as a whole are obliged to face. The mere fact that the tables prepared by the department for the first time, and for only part of the year are sufficiently complete to show that in the course of a single year between 700 and 1,000 men are killed outright in Canada while pursuing their regular employments, that between 2,000 and 3,000 are permanently injured, is of itself enough to direct the attention of legislators and all persons of human sympathies to the need of devising means whereby the community may be spared this sacrifice of life and human energy. In the analysis given in the *Labour Gazette* of the causes of these several accidents will be found the first clue to an intelligent method of reform. Considered from this point of view, it will be seen that the department in presenting from month to month and year to year reliable records of this kind is performing through the *Labour Gazette* a service, not only of the highest importance to workmen and those interested in the betterment of their condition, but also a service of the first importance to the community as a whole and the public generally.

The following is a copy of the blank statistical form used by the department in obtaining and recording the information on industrial accidents.

COPY OF BLANK FORM USED BY DEPARTMENT OF LABOUR IN OBTAINING RETURNS OF INDUSTRIAL ACCIDENTS IN CANADA.

STATISTICAL TABLES, SERIES F.
BLANK FORM NO. 1.

THE DEPARTMENT OF LABOUR, CANADA.

Industrial Accidents during the Month of..... .....

TRADE OR INDUSTRY.	LOCALITY.	DATE.	AGE. (State if over 21 or under.)	SEX. (State if male or female.)	NATURE OF INJURY. (State if fatal or serious results.)	CAUSE OF REMARKS. (Any particulars throwing light on cause of injury, and further details as to its nature.)

Information sent in by.. ....

....
(Date)

....
(Address)

Changes in Rates of Wages and Hours.

A marked improvement was made during the year, in the method adopted by the department in collecting information on changes in current rates of wages and hours of labour and in the method of presenting this information. In previous years articles have been published, reviewing in a general way the changes which have taken place. During the past year for the first time the matter has been presented in tabular form, the statistical tables, which are published quarterly showing in the case of every change in wages or hours of labour, particulars as to the class of work-people affected, the date of the change, the average weekly schedule of remuneration and hours before and after the change, the amount of the change per week, and the manner in which the change was brought about. The information is further classified according to industries and trades. By having this information published quarterly an opportunity is given of corresponding with business concerns, labour organizations and individuals with a view to having the published facts as complete and accurate as possible.

The following is a copy of a circular letter sent by the department to parties directly or indirectly interested in the wages or hours changes of which the department has received notice. In addition, however, to the circular letter, the department has sought to complete its records by means of official correspondence.

COPY OF CIRCULAR LETTER USED BY DEPARTMENT OF LABOUR IN SECURING RETURNS OF CHANGES IN RATES OF WAGES AND HOURS OF LABOUR IN CANADA.

DEPARTMENT OF LABOUR, CANADA,
Ottawa, 190

SIR,—The Department of Labour is desirous of obtaining a complete and accurate record of changes in the rates of wages and hours of employment taking place, from time to time, in the different trades in Canada, for publication in the *Labour Gazette*, which is issued monthly.

These statistics are collected and published by the Department in pursuance of section 10, chap. 24, 63-64 Victoria (An Act to aid in the prevention and settlement of trade disputes and to provide for the publication of statistical and industrial information, assented to July 18, 1900) which provides that the Department of Labour shall collect, digest and publish in suitable form, statistical and other information relating to the conditions of labour.

The department has been informed of a recent change in
and that the matter is one of concern to

In order that the department's account of this change may be as accurate as possible, a request is being made of the interested parties, or their representatives, for a statement of the facts in so far as they are to be ascertained. I therefore inclose herewith two blank forms, with the request that you will have the kindness to fill out one of these blanks, in so far as you are able to supply the information in regard to the points indicated, giving any such additional information as may seem to you desirable, and return it at your earliest convenience to this department. The second blank is sent you in case you may desire to retain it for purpose of an exact memorandum of the information sent in by you to the department.

As it is the intention to compile tables from the information herein requested for the *Labour Gazette*, it would assist the department materially if you would have the kindness to return the inclosed form as soon after receiving it as possible.

I inclose herewith an envelope to be used in returning the schedule to the department and desire to inform you that no postage is required on replies sent in by you.

I have to add that any information you may be good enough to furnish will be used for statistical purposes only, and will not be published under your name.

I am, sir,

Your obedient servant,
W. L. MACKENZIE KING,
Deputy Minister of Labour.

A copy of the blank forms referred to in above communication, on which information relating to changes in wages and hours is under the present arrangement collected by the department, is as follows :

COPY OF BLANK FORM USED BY DEPARTMENT OF LABOUR IN OBTAINING RETURNS OF CHANGES OF RATES OF WAGES AND HOURS OF LABOUR OF CANADA.

Reference No. . . . . .

DEPARTMENT OF LABOUR, CANADA.

CHANGES IN RATES OF WAGES AND HOURS OF LABOUR.

Locality . . . . . Trade or Industry affected . . . . . .

Classes of workpeople affected.	Firm or Establishment affected.	Approximate number of workpeople affected.		Particulars as to actual changes affected.	Changes in Wages. State the wages per head in a full week, exclusive of overtime pay.*		Changes in Hours. State working hours per week, exclusive of meal time and overtime.		Date from which change took effect.
		Male.	Female.		Before change.	After change.	Before change.	After change.	

* Where there has been a change in piece rates please give approximately the effect on a full week's earnings, exclusive of overtime.

PARTICULARS as to how change was brought about . . . . . .

(State whether result of voluntary concession, demand of workmen, strike, or lockout.)

. . . . . .

. . . . . Signature . . . . . .

. . . . . Date . . . . . .

D. L. Form No. 4.—2,000-17-4-03.

The correspondents of the *Gazette* have been required to report on blank schedule forms similar to the one given here, of changes taking place in their cities and districts. The clipping bureau of the department has also been utilized as a means of obtaining from the press notices of particular changes and sources of information.

In the September, 1903, issue of the *Gazette*, statistical tables were published relating to changes in wages and hours which have taken place during the first nine months of the calendar year 1903. In the four succeeding numbers of the *Gazette* similar articles covering the changes reported to the department during the preceding month were given. It was found, however, somewhat difficult to obtain information of the detailed character required in time for publication in the regular monthly article. It was, accordingly, decided tc publish the statistical tables on changes in rates of wages and hours quarterly in the July, October, January and April issues of the *Gazette*, these months being selected as affording the best opportunity of reviewing the spring, summer, autumn and winter changes, respectively.

A special paragraph was introduced into the article on industrial and labour conditions during the month, in which reference was made to changes of wages and hours or tendencies arising during the preceding month, detailed information being reserved, however, for the quarterly tables. The first quarterly tables appeared in the April, 1904, *Gazette*. Accompanying the tables in each case has been a descriptive and explanatory article in which, as far as possible a statement in regard to every change recorded has been given, together with an estimate of the effect upon the weekly wages bill in the several trades and industries.

Some of the results which have been disclosed during the year in the above series of articles may be briefly referred to. During the first nine months of the calendar year of 1903, 208 changes affecting 26,073 work-people were reported to the department, nearly all of which were of the nature of increases. During September four increases in wages affecting 721 work-people were reported with one reduction in wages and one reduction in hours. During October, 1,807 work-people were affected by sixteen changes, all of which were either increases in wages or decreases in hours, or both. The November changes numbered ten, and with one exception either increases in wages or decreases in hours. During December there were twelve changes of which ten were increases. The record for the balance of the winter season of 1903-04 included twelve increases in wages, four decreases in hours, and four increases in hours. It will be seen from this statement that the tendency in wages during the past year in Canada has been strongly in an upward direction.

Strikes and Lock-outs.

Publication has been continued in each number of the *Gazette* of a special article with an accompanying statistical table giving a record for the preceding month of the different strikes and lock-outs reported to the department as in existence throughout the Dominion. As in previous years, the disputes which commenced during the month immediately previous to that for which the *Gazette* appears, have been grouped

together in the table, and those which had been continued from the previous months set forth in a separate division in the descriptive article, the main features of the more important disputes have been described. The method of presenting an analysis of the situation each month in the form of a smaller tabular statement covering the main features of the situation has been continued, the analysis showing the number and magnitude of the disputes, the loss in working days occasioned thereby, the trades chiefly affected and the causes of the disputes. The utmost care has been taken to render this monthly statement as accurate as possible and to include every dispute occurring in the Dominion.

An extended review of the trade disputes occurring in Canada during the calendar year 1903 was presented in the January issue of the *Labour Gazette*. Tables were included in this article summarizing the main features of the industrial disputes of the year, and carefully analysing the record for the year under such headings as, the number of workmen involved, the record according to trades, months and provinces, causes and results of disputes, methods of settlement, &c. The record in all these particulars was carefully compared with those of the two preceding years. In the article accompanying these tables a general description of the industrial unrest prevailing during the year was given with brief references to the more important strikes and lockouts including the strikes of coal miners and railway employees in British Columbia which were settled by the Royal Labour Commission, the strikes in the building trades and longshoremen at Montreal, the strikes and lockout of shoe workers at Quebec, and the strikes in the building trades at Toronto, Winnipeg, Vancouver and other points.

Among the important facts disclosed by this inquiry, mention may be made of the following : During the calendar year 1903 there were 160 trade disputes reported to the department as against 123 in 1902 and 104 in 1901. The loss in working days amounted to 752,181, as against 163,125 in 1902 and 684,283 in 1901. By trades the record was as follows :—

Trades.	Number of Disputes.		
	1901.	1902.	1903.
Building	14	28	44
Metal	23	31	17
Woodworking	4	10	9
Textile	6	1	5
Clothing	10	9	11
Foods, tobacco preparation	9	10	6
Leather	1	3	4
Printing and bookbinding	2	3	3
Transport	4	4	18
Longshoremen	5	4	4
Mining	5	3	9
Fishing	2	1	1
Unskilled	11	6	9
Miscellaneous	8	10	20
Total	104	123	160

The months in which the various disputes occurred during the three years are shown in the following table :—

Months.	Number of Disputes.			Total.
	1901.	1902.	1903.	
January	7	8	6	21
February	3	5	12	20
March	13	12	22	47
April	12	20	23	55
May	7	27	29	63
June	23	18	23	64
July	14	7	15	36
August	5	6	11	22
September	5	9	7	21
October	5	4	6	15
November	7	7	3	17
December	3	..	3	6
Total	104	123	160	387

By provinces the record was as follows :—

Provinces.	Number of Disputes.			Total.
	1901.	1902.	1903.	
Nova Scotia	5	12	7	24
Prince Edward Island	..	2	..	2
New Brunswick	3	7	7	17
Quebec	29	20	33	82
Ontario	53	65	83	201
Manitoba	3	8	1	12
North-west Territories	.	1	5	6
British Columbia	10	8	24	42
Total	103	125	160	385

With regard to causes of disputes, the following table contains the record for the three years :—

Causes.	Number of Disputes.		
	1901.	1902.	1903.
For increase in wages	48	54	60
Against reduction in wages	10	7	7
For decrease in hours	1	7	8
For increase in wages and decrease in hours	5	14	18
Against employment of particular persons	13	8	13
Against conditions of employment	..	5	5
For recognition of union	..	5	5
Sympathetic	..	9	10
Miscellaneous	16	12	29

The methods pursued in arriving at a settlement, are shown in the following :—

Method.	Number of Disputes.		
	1901.	1902.	1903
Arbitration	5	6	6
Conciliation	6	5	14
Negotiations between parties concerned	55	73	77
Replacement of men	13	12	15
Return to work on employers' terms	13	20	26
Indefinite or unsettled	12	5	12

The results of the disputes of 1901, 1902 and 1903 are shown as follows :—

Results.	Number.			
	1901.	1902.	1903.	Total.
In favour of employers	40	35	46	121
In favour of employees	39	46	45	130
Settled by compromise	22	33	46	101
Terms unknown or not settled	..	4	10	14

The Immigration and Colonization Movement.

An important development of the year affecting industrial and labour conditions throughout Canada was the scale on which immigration and colonization took place. The distribution of the immigrants and the progress of settlement in Western Canada was regarded with great interest both by employers and employees. Special articles dealing with the character and extent of the movement from month to month were published in the *Labour Gazette* throughout the year. Tables relating to the number of immigrant arrivals (the immigrants landed each month being classified according as they came from Great Britain, the United States and the continent of Europe) the number of homestead entries granted, the nationalities of homesteaders, and the number of land patents issued in Manitoba, the Territories and British Columbia, were published each month, the information being supplied by courtesy of the Department of the Interior. A descriptive account of the main characteristics of the movement during the preceding four weeks based on references contained in the press, information secured from immigration and colonization societies, &c., was also given. In this connection references were made to such topics as the arrival and settlement of the all-British colony at Lloydminister, the progress of colonization under the auspices of the provincial governments and of different immigration and colonization societies, the facilities of the transportation companies for handling the immigration traffic, the land sales of transportation and other ecompanies in the west, oriental immigration, juvenile immigration and the like.

Canadian Trade and Revenue.

The importance of reporting current statistics in trade and revenue, as one index of the condition of labour and industry, was recognized at an early date by the department in the preparation of its monthly review of industrial and labour conditions. In previous years a brief reference of this nature was included in the monthly summary of industrial conditions. During the past year the value of this material has been increased by giving particulars in more detail in a separate article. A brief review, of 'Canadian Trade and Revenue,' has accordingly been published monthly the subject being dealt with under the headings 'Foreign Trade,' 'Imperial Trade,' 'Domestic Trade,' and 'Canadian Revenue.' Special information with regard to imports, exports, revenue, &c., has been obtained through the courtesy of the Department of Customs, Finance, and Trade and Commerce, Canada. In the preparation of the paragraph on Domestic Trade, use is also made of information supplied by the local correspondents to the *Gazette*, and financial and trade journals dealing with Canadian conditions.

Legal Decisions Affecting Labour.

The department has continued to publish monthly in the *Gazette* brief accounts of the more important legal decisions affecting labour rendered in the courts throughout Canada. Over seventy decisions in all were reported in this way, during the past year, citation being made in each case of the name of the prosecutor and the defendant, the court in which the case was tried, the name of the presiding judge, and the time and place of the decision. As in previous years some of the more important decisions of the English and United States courts bearing more particularly on the status of labour organizations were also reported. In the decisions reviewed during the past year in the *Gazette* the following were the more important subjects dealt with :—Voluntary risks of employees; justifiable dismissals; the guarding of dangerous machinery; the restraint of trade; actions against trade unions; the effect of promises of re-employment; manual labour; employers' liability to pay pensions; accidents causing death; culpable negligence of employees; defective machinery; desertion of employment; damages for accidents; employment of alien labour; employment of Chinese under ground; trial by jury; injunctions against unions; the use of union labels by civic corporations; contributory negligence of employees; liability of strangers for negligence ; obligations of truckmen ; duty of employees to employers ; intoxication of street railway employees; providence society regulations; forced agreement with unions; regulations of benefit societies; employers' liability; damages at common law; unauthorized conduct of fellow workmen; breaches of contract; duty of parties using dangerous machinery; damages for loss of an eye; liability of contractors for delay caused by strike; liability for defective boiler; Sunday observance; employers' liability for carelessness of employees; right of employers to have a black list ; right of employers to dismiss employees ; liability of employer for defective machinery and for lack of proper supervision of work; the interpretation of terms of agreement; the extorting of money from employees by agents of employers and others, &c.

Special Investigations Conducted by the Department.

A number of special investigations into subjects of importance and interest to labour were conducted by the department during the year. Some had been begun in previous years and were continued, other investigations were undertaken for the first time. Of the latter, the most important had to do with the subject of current rates and tendencies of wages and hours of labour in the several trades and industries throughout the Dominion, in connection with which a large amount of information was collected and published in part during the year.

Rates and Tendencies of Wages and Hours of Labour in Canada.

An extensive investigation into the subject of current rates of wages and hours of labour in the several trades and industries throughout Canada, was one of the first duties to which the department turned its attention after its establishment in August, 1900. The results of this investigation were embodied in a series of tables, publication of which was extended through some twenty issues of the *Gazette*.

An investigation of a somewhat similar nature to that carried out in 1900-01 was undertaken during the past year. The scope of the investigation, however, was materially enlarged so as to embrace information in regard to past tendencies of wages and hours over a period of several years as well as statistics on present conditions. The following copy of the circular communication which was sent out by the department in this regard and which was accompanied by a blank form on which the information requested was to be filled in, will explained the nature and scope of the investigation :

COPY OF CIRCULAR LETTER USED BY DEPARTMENT OF LABOUR FOR OBTAINING INFORMATION IN INVESTIGATION AS TO TENDENCY OF WAGES AND HOURS OF LABOUR IN CANADA.

DEPARTMENT OF LABOUR, CANADA,
Ottawa, June 6, 1904.

SIR,—The Department of Labour has commenced a special investigation in regard to the tendency of the rates of wages and hours of labour in Canada in the industries and trades of the Dominion, the results of which will be published in the *Labour Gazette*.

This investigation is being undertaken in pursuance of section 10, chap. 24, 63-64 Victoria (An Act to aid in the prevention and settlement of trade disputes, and to provide for the publication of statistical and industrial information, assented to July 18, 1900,) which provides that the Department of Labour shall collect, digest and publish in suitable form, statistical and other information relating to the conditions of labour.

To secure accurate and adequate information on this important subject, the department has to rely on the co-operation of persons who are in a position, from the knowledge which they have of past and present conditions, to supply particulars in regard to conditions in the trade or industry with which they may be connected.

This communication is being sent to you with the respectful request that you would have the kindness to assist the department by filling in on the blank form which is inclosed herewith such particulars in regard to your trade or business as you may be able to give. The form inclosed will indicate sufficiently the nature of the information required. It is only necessary to add by way of explanation that what the department is most anxious to ascertain is the rates of wages or hours of labour generally current over particular periods of time specifying the latter with as near an approach to complete accuracy as may be possible.

It would assist the department in the preparation of statistical tables which it is intended to compile from the returns received, if, in the event of your being unable, for lack of space or other reasons, to give the information desired in the spaces specified on the form, you would give such particulars as you may have in the form of a general statement, mentioning also to the department other possible reliable sources from which information on the points in question might be obtained.

I inclose herewith an envelope to be used in returning the schedule to the department, and desire to inform you that no postage is required on replies sent in by you.

I have further to add that any information you may be kind enough to furnish will be used for statistical purposes only, and will not be published under your name.

I have the honour to be,

Your obedient servant,

W. L. MACKENZIE KING,

Deputy Minister of Labour.

P.S.—An early reply to this communication will materially assist the department in furthering this investigation.

The following is a copy of one of the blank forms mentioned in the above communication, as used in collecting this information. The schedule has reference to the building trades, but the forms used for the other groups of trades were in all respects the same except as to the names of the classes of labour specified :

4-5 EDWARD VII., A. 1905

COPY OF BLANK FORM USED BY DEPARTMENT OF LABOUR IN OBTAINING INFORMATION IN INVESTIGATION AS TO TENDENCY OF WAGES AND HOURS IN CANADA.

DEPARTMENT OF LABOUR, CANADA.

SPECIAL INVESTIGATION IN REGARD TO THE TENDENCY OF THE RATE OF WAGES AND HOURS OF LABOUR IN CANADA.

THE BUILDING TRADES.

Locality.....

CLASS OF LABOUR.	RATES OF WAGES.*					HOURS OF LABOUR.				
	In Previous Years.			At Present Time.		In Previous Years.			At Present Time.	
	Year in which change took place.	Rate paid prior to date given. Per hour.	Rate paid prior to date given. Per day.	Per hour.	Per day.	Year in which change took place.	Hours current prior to date of change. Per day—1st 5 days of week.	Hours current prior to date of change. On Saturdays.	Per day 1st 5 days of week.	On Saturdays.
Bricklayers and Masons.....										
Carpenters and Joiners.....										
Lathers and Plasterers....										
Painters.....										
Plumbers.....										
Stonecutters...										
Builders' Labourers.....										

* Where an exact rate cannot be given, please state what might be regarded as a fair average rate.

Remarks:

Date,..... .....

.....
Signature of person supplying information.

The following groups of trades were included in the investigation :

1. Building trades.
2. Metal, engineering and shipbuilding trades.
3. Woodworking trades.
4. Printing and allied trades.
5. Clothing trades.
6. Food and tobacco preparation.
7. Mining trades.
8. Leather trades.
9. Textile trades.
10. Paper trades.
11. Transportation—electric.
12. Transportation—steam.

Communications and blank schedules were sent to employers engaged in the several trades specified, and to the different labour organizations interested, the names and addresses of the former being obtained from trade lists and business directories. Where there was no classification in the directories of firms included in the particular trades and industries, the whole directory was gone through with, for the purpose of obtaining the names and addresses of the firms desired. From the accompanying table, showing the number of communications mailed by the Department of Labour and returns received in connection with the special investigation up to the close of the fiscal year, 1903-04, it will be seen that 14,468 communications were addressed to employees and 903 to secretaries of labour unions, making a total of 15,371 communications mailed. Replies giving the information requested were received up to the end of the fiscal year, from 1,694 persons. Making allowance for the number of communications returned to the department as not having been received by the parties to whom they were addressed, the department had received replies at the end of the fiscal year from a little over 11 per cent of the persons to whom communications were mailed.

The information obtained from the communications sent to individual firms or persons interested, was supplemented by returns made by the several correspondents of the *Gazette*. It is the intention of the department prior to final publication of the returns, to supplement still further this information in regard to the number of trades by inquiries and investigation conducted personally by officers of the department. It is the intention of the department to publish the result of this investigation in the numbers of the *Labour Gazette* to be issued during the year 1904-05.

STATISTICAL TABLE SHOWING THE NUMBER OF COMMUNICATIONS MAILED BY THE SPECIAL INVESTIGATION AS TO TENDENCY OF

LETTERS FORWARDED.

Trades.	N.S.	N.B.	P.E.I.	Que.	Ont.	Man.	N.W.T.	B. C.	Total.
BUILDING TRADES.									
Firms addressed	278	268	3	762	3,671	112	2	123	5,219
Unions "	12	8	1	26	99	11	8	18	183
									5,402
METAL TRADES.									
Firms addressed	452	291	14	1,110	766	95	16	81	2,827
Unions "	5	10	.....	16	72	7	3	17	130
									2,957
WOODWORKING TRADES.									
Firms addressed	194	105	14	227	503	36	3	22	1,104
Unions "	1	.....	.....	7	34	.....	.....	3	45
									1,189
PRINTING TRADES.									
Firms addressed	105	62	11	117	627	25	80	60	1,087
Unions "	2	2	.....	7	26	3	3	10	53
									1,140
CLOTHING TRADES.									
Firms addressed	193	200	7	321	871	62	4	73	1,731
Unions "	1	1	.....	24	33	2	1	6	68
									1,799
FOOD & T. PREPARATION.									
Firms addressed	248	100	2	439	853	59	3	120	1,824
Unions "	.....	2	1	9	28	3	.....	7	50
									1,874
MINING.									
Co's addressed	17	1	.....	18	26	1	5	48	116
Unions "	28	.....	.....	.....	.....	.....	.....	15	43
									159
LEATHER TRADES.									
Firms addressed	18	45	9	27	101	16	8	8	232
Unions "	.....	.....	.....	4	8	.....	.....	4	16
									248
TEXTILE TRADES.									
Firms addressed	3	4	.....	16	.....	.....	.....	.....	29
Unions "	.....	.....	.....	2	3	.....	.....	.....	5
									34
PAPER TRADES.									
Firms addressed	8	4	.....	41	19	.....	.....	.....	72
Unions "	.....	.....	.....	4	2	.....	.....	.....	6
									78
TRANSPORTATION.									
Electric Co's addressed	2	1	.....	9	27	1	.....	2	42
Unions addressed	.....	1	.....	.....	5	1	.....	2	9
									51
TRANSPORTATION.									
Steam Co's addressed.	13	23	.....	53	43	.....	6	7	145
Unions addressed	24	29	5	41	131	19	22	24	295
									490

Total firms addressed 14,468
Total unions addressed 903

Grand total 15,371

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES IV A. R.—No. 2.

DEPARTMENT OF LABOUR AND RETURNS RECEIVED IN CONNECTION WITH THE WAGES AND HOURS OF LABOUR IN CANADA.

RETURNS RECEIVED.

N. S.	N. B.	P. E. I.	Que.	Ont.	Man.	N. W.T.	B. C.	Total.
49	46	4	99	373	14	6	23	624
2	19	1	62	78	12	3	15	222
12	11	2	17	67	5	2	1	117
18	8	3	29	159	18	9	24	268
14	1	.....	18	75	2	.....	7	117
3	2	.....	16	59	7	.....	15	102
10	.....	.....	6	7	.....	4	20	47
4	1	.....	3	17	5	4	3	37
.....	1	.....	2	2	.....	.....	.....	5
	2	.....	7	2	.....	.....	.....	12
2	2	.....	3	14	1	.....	5	27
13	16		19	42	8	8	10	116

Total returns..... 1,694

In the December, 1903, issue of the *Labour Gazette*, publication of a series of articles dealing exclusively with hours of labour in Canada was begun. The extent to which the subject of hours of labour has been made a matter of legislation in Canada was first dealt with, a brief statement being given of the provisions relating to hours contained in the Factories and Shops Act of Ontario, Quebec, Manitoba, New Brunswick and Nova Scotia, and of the regulations of Nova Scotia, Quebec, Ontario and British Columbia relating to the hours of labour in mines. In the February issue of the *Gazette* a table of hours of labour current in the building trades throughout Canada was given, a careful analysis being presented in an accompanying article. This investigation as to hours was subsequently merged in the larger investigation of current wages and hours of labour and their tendency.

The important special investigations into industrial and labour conditions conducted by the department during the fiscal year 1902-03 were continued during the past year, and a considerable amount of the information thus collected was published in the *Gazette*. The subjects dealt with in this connection were : (a) cost of living in Canada; (b) the growth and present position of labour organizations in Canada ; and (c) labour legislation in Canada.

Cost of Living in Canada.

An investigation into cost of living in Canada was begun by the department in November, 1902, special efforts being made in view of the importance of the subject to secure as comprehensive information as possible for the whole Dominion.* Briefly, the methods adopted by the department in obtaining the desired information were : (a) by correspondence with leading retailers and dealers who were requested to furnish returns on blank schedules inclosed to them ; and (b) by personal investigation conducted by officers of the department in representative towns and cities. The investigation had for its object the obtaining of extensive and reliable first-hand quotations of current prices of the commodities which enter most largely into the consumption of the average family, and are commonly spoken of as the necessaries of life. These were presented in tables under the following groups : 1. Prices of provisions; 2. Prices of groceries ; 3. Prices of dry goods ; 4. Prices of clothing, boots and shoes, &c., and, 5. Rentals.

Publication of the returns relating to groceries and provisions was completed in volume III. of the *Gazette*, but the bulk of the information collected was first published during the past year, the series being continued from volume III. in three special articles published during the summer and autumn months, in which prices of dry goods and clothing throughout Canada, and the returns secured by the department with regard to rentals were set forth. Up to this point the information published by the department has been based wholly on returns received as the result of correspondence with retail merchants, real estate agents, &c., throughout the Dominion. A very valu-

* For a full statement of the methods adopted by the department in collecting this information, with copies of the circular letter, blank schedules, &c., issued, see annual report of the department for the year ended June 30, 1903, pags 19-28.

able article published by the department in connection with this investigation, however, was that with which the series was concluded in the December issue of the *Gazette*, which set forth in full the results of investigations personally conducted by officers of the department in Montreal, Ottawa, Kingston, Toronto, London and other representative towns and cities. Retail prices of provisions, groceries, dry goods and clothing were quoted in this article in conformity with the plan upon which the preceding articles had been based, having been in each case verified on the spot by an officer of the department, who selected in each of the cities visited typical and representative retail establishments. An extensive table on rents, also the result of personal investigations, was added.

A special reference to the more important current variations in prices and rentals as reported in the press of the Dominion, and by correspondents of the *Gazette* was introduced during the year into the monthly summary of industrial and labour conditions published, with a view to indicating the general tendency of cost of living throughout the Dominion.

Statistics Relating to Labour Organizations.

The department has continued throughout the year to add to its information on the subject of the growth and present position of labour organizations in Canada. In previous years, the results of the department's inquiry along these lines were presented in the form of a directory of existing labour organizations throughout the Dominion, based on information collected during the first year after the establishment of the department. Later, an investigation which, largely statistical in its nature, was conducted by the department with the object of obtaining information both as to the class and number of organizations in existence in the several trades and also of securing information of an historical nature with regard to the origin and growth of the organized labour movement in Canada, the dates on which the various organizations came into existence being given wherever possible. The tables embodying this information were published in volume III. of the *Gazette* and a statement with regard to the method of collecting the information, and of the difficulties with which the department had to contend, were contained in previous reports.*

In both of these branches of the inquiry substantial progress was made during the past year. Additional information collected during the period of publication of the tables on the growth and present position of labour organizations in Canada, was set forth in an article and table published in the July issue of the *Gazette*, in which a summing up was given of the returns received up to that date. Publication was also begun in the February issue of the *Gazette* and concluded in the final issue of volume IV., of a new and revised directory of the labour organizations at present in existence in the Dominion, and of which the department had been able to secure official information. The name, number and locality of each organization was given, together with

* See reports of the Department of Labour for the years ending June 30, 1902 and 1903, pages 28 and 10 respectively.

the name and address of the secretary, the arrangement of the organizations in the table being alphabetically by localities. There were shown to be at present in existence in Canada two trade and labour congresses, three national associations of workpeople, twenty-three federations of trade unions, fifty-two trades and labour councils, and 1,539 local trade unions.

As in previous years, a record of new unions formed has been published from month to month in the *Gazette*. At the end of the calendar year, also, a review was given of the progress of labour organizations during 1903, in which it was shown that a total of 275 organizations had been formed in Canada during the year, distributed by provinces, as follows :

Province.	No. of Organizations formed.
Nova Scotia	26
Prince Edward Island	0
New Brunswick	22
Quebec	62
Ontario	125
Manitoba	10
North-west Territories	7
British Columbia	23
Total	275

By groups of trades the new labour organizations were as follows :—

Group of Trades.	Totals.
Agriculture	13
Fishing	1
Mining	13
Building trades	48
Metal	42
Woodworking	14
Clothing trades	5
Food and tobacco preparation	9
Printing and Allied Trades	7
Leather	3
Transport	61
General labour	20
Trades and Labour Councils	8
Miscellaneous	32
Total	275

Reports reached the department during the year of the disbanding of fifty-four organizations, making a net increase of 223 in the number of labour organizations in Canada during the calendar year 1903.

In connection with the work carried on by the department in obtaining information with regard to labour organizations, it may be mentioned that work was also begun during the year on a directory of employers' associations, including manufacturers' associations, master butchers' associations, master bakers' associations, master builders' societies, wholesale and retail merchants' associations, &c., and considerable progress made in collecting the desired information, though no publication of this material had been made up to the close of the fiscal year.

Labour Legislation in Canada.

The work of compiling and classifying the legislation of the Dominion and of the several provinces having an immediate bearing on the condition of labour and in-

dustry was also continued during the year. In dealing with this subject in previous years the department first took up such legislation as might be regarded as having been recommended by the particular nature of the employment to which it related. In this connection articles on legislation in Canada for the protection of employees in factories, shops, mines, on railways and ships, and about machinery were presented. Later the laws dealing more with the relations of employers and employees generally, as arising out of the labour contract were treated, and in this connection, the law relating to apprentices and minors in Canada was taken up. During the past year the existing statutes of the Dominion and of the provinces relating to the status of the aliens in Canada were summarized. The legal status of aliens in Canada was taken up in connection with the subject of immigration, and in connection with the hiring of labour in foreign countries under contract to perform service in the Dominion. The various Dominion and provincial regulations with regard to the establishment of immigration offices, the protection of immigrants, precautions to be taken against the importation of diseased or pauper or vicious immigrants, immigration aid societies, juvenile immigration, and oriental immigration, with special reference to recent legislation passed in British Columbia, were dealt with in detail. In connection with hiring and contract, the rights and disabilities of aliens were defined, and the chief provisions against the importations of foreigners under contract set forth. Supplementary legislation, such as that passed by the legislature of Ontario with regard to the manufacture of pine and pulp wood cut on Crown domains, and certain Dominion Acts relating to the coasting trade, the fishing industry, and the status of wreckers in Canadian waters, were also dealt with.

A special article on legislation in Canada for the preservation of the health of employees on public works was published during the year, in view, more particularly, of the extensive railway construction operations projected in the newly organized districts of the country to which the provisions of the Act apply. A brief description of the circumstances under which the Act had its origin, and of the regulations passed and other methods adopted for its enforcement were given in some detail.

The Weather Blockade in Ontario.

The most noteworthy of exceptional conditions directly affecting trade and industry during the year was the unusually severe weather which prevailed during the months of January and February in the provinces of Ontario and Quebec, more particularly in the Southwestern peninsula of the former. Several branches of industry especially transportation, suffered severely. As the effects were so important and far-reaching, the department conducted a special investigation during the closing weeks of the winter, chiefly through the correspondents of the *Labour Gazette* into the leading features of the situation, the correspondents being requested to send special statements as to the direct and indirect effects of the weather blockade on the several trades and industries represented in their localities. This information was supplemented by correspondence conducted directly from the department, a circular letter being addressed to the leading transportation companies, and to such manufacturing and other firms as were reported to have suffered inconvenience as a result of the severe weather

conditions. The results were presented in an article on which the situation was reviewed from the standpoint of the several trades and industries, with a summing up of the general result upon conditions of employment.

Special Articles on Subjects of Current Interest.

Among other subjects dealt with in special articles in the *Labour Gazette* during the past year, the following may be mentioned :—

1. Legislation enacted by the Dominion parliament and by the several provincial legislatures during the year affecting the condition of labour. Ten special articles were published in this connection including a special review of the Railway Labour Disputes' Act, 1903, the text of which was also printed in full as an appendix to the *Gazette*. A special article was devoted to the legislation passed by the Dominion for the purpose of restricting Chinese immigration.

2. Labour congresses, conventions of manufacturers, meetings of employers' associations, &c., held during the year. The following were among the more important meetings thus reported : The annual convention of the Bricklayers' and Masons Unions of Ontario ; the annual convention of the International Association of Factory Inspectors ; the fifth congress of the Chambers of Commerce of the Empire ; the nineteenth annual convention of the Trades and Labour Congress of Canada ; the annual congress of the Trade Unions of the United Kingdom ; the annual convention of the Canadian Manufacturers' Association; the annual convention of the Union of Canadian Municipalities ; the sixth Canadian conference of charities and correction ; an interview of a delegation of the National Trades and Labour Congress with the Dominion government; the annual meeting of the Employers' Association of Toronto ; and the annual convention of the Western Ontario Labour Educational Association.

3. Important trade disputes, including the strike of iron moulders at Toronto, the strike of the carpenters at Winnipeg, Man., and the strike of carpenters at Calgary, N.W.T. In the last two of these the intervention of the department was requested, and a settlement effected under the Conciliation Act, 1900. A special article was also devoted to the termination of the strike of the United Brotherhood of Railway Employers on the Canadian Pacific Railway, as a result of the investigations conducted by the Royal Labour Commission in British Columbia.

In addition to the special reviews and reports above mentioned, references under a separate heading were made during the year in the *Labour Gazette* to the following subjects :—the organization of a co-operative association at Guelph, Ont.; the organization of a mutual benefit association by the employees of the Montreal Street Railway Company ; the new regulations affecting the fishing industry in British Columbia, permitting the use of trap-nets, &c.; the irrigation project of the Canadian Pacific Railway Company, near Calgary, Alta.; the appointment of a railway inspector ; the adoption of new apprenticeship articles by the Toronto Employers' Association ; the report of the Canadian Manufacturers' Association on conditions of em-

ployment in Canada ; the reorganization of the Toronto District Labour Council ; labour conditions in the fruit industry in Ontario ; and convictions under the Alien Labour Law at Rossland, B.C.

Special reports were also given of the appointment and proceedings during the year of different Royal Commissions issued by the Dominion government including the British Columbia Labour Commission, the commission to investigate the alleged employment of aliens by the Grand Trunk Pacific and the Commission on Transportation.

Several industrial arbitrations which were held during the year were also given special reference, among them being the arbitration between the Masters Builders of Halifax, N.S., and the carpenters in their employ, the arbitrations in the brass working trades in Toronto, Ont., and in the boot and shoe industry at Quebec, Que., and the appointment of a permanent board of Conciliation and Mediation at Hamilton, Ont.

Reviews of Blue-Books and Official Reports of Interest to Labour.

Under the heading 'Reports of Departments and Bureaus,' the *Gazette* as in previous years, has contained a number of reviews of the more important blue-books and official reports containing information with regard to labour and industrial conditions received at the department. Various publications by the Dominion government, the legislatures of the several provinces, the governments of Great Britain, the governments of the other colonies of the empire, the different European governments, and the state and federal governments of the United States, were thus reviewed. Among the publications to which reference was made in this way the following may be mentioned :

Papers relating to conference between the Secretary of State for the Colonies and Prime Ministers of self-governing colonies, 1902.

Fifteenth Annual Reports of the Inspectors of Factories for the Province of Ontario, 1902.

Annual Report of the Minister of Mines, British Columbia, for the year ending December 31, 1902.

Annual Report of the Chief Inspector of Factories and Workshops, Great Britain, 1902.

Fifth Annual Report of the Bureau of Labour and Industrial Statistics, for the State of Virginia, 1902.

Labour and Industrial Chronology of the Commonwealth of Massachusetts for the year ending September 30, 1902.

Ninth Annual Report of the Fruit Experimenting Stations,, Ontario, 1902.

Bulletin No. 127, Ontario Agricultural College and Experimental Farm.

Thirty-ninth Annual Report on Alkali, &c., works inspection by the Chief Inspector ; Proceedings during 1902, Great Britain.

Despatch of Colonial Secretary to the Governor General of Australia respecting the employment of white labour, April 17, 1903.

General Report of Mines and Quarries, 1902, Great Britain.

Report of draft regulations proposed for factories and workshops in which the process of file-cutting by hand is carried on, Great Britain.

Reports of fifteenth and sixteenth annual conventions of the International Association of Factory Inspectors.

Thirty-third Annual Report of the Massachusetts Bureau of Labour Statistics, on 'Sex in Industry.'

Year-book of the United States Department of Agriculture, 1902.

Special report regarding the growth of trade and material industries in the Dominion of Canada, published on the occasion of the fifth triennial meeting of the Congress of Chambers of Commerce of the Empire at Montreal, 1903.

List issued by the Department of Marine and Fisheries, of vessels on the register books of the Dominion of Canada on December 31, 1902.

Report of the Superintendent of Insurance of the Dominion of Canada for the year ended December 31, 1902.

Report on slavery and free labour in the British East Africa Protectorate, Great Britain.

Report on an outbreak, Aukylospomiasis, in the Westphalian Colliery district in Germany, Great Britain.

Ninth Biennial Report of the Indiana Department of Statistics for 1901-02.

Thirty-fourth Annual Report of the Fruit Growers' Association of Ontario, 1902.

Report on wholesale and retail prices in the United Kingdom in 1902.

First report of the Royal Commission on Coal supplies, Great Britain.

Mines and Quarries ; general report and statistics for 1902, Great Britain.

Report of Select Committee on Workmen's Trains, England.

General Report of the Board of Trade upon accidents on the railways of the United Kingdom, 1902.

Hours of Labour of Railway Employees (return in pursuance of section 4 of the Regulations of Railways Act, 1889), Great Britain.

Twelfth Annual Report of the Department of Labour, New Zealand, 1902-03.

Proceedings of the Association of Bureaus of Labour Statistics of America.

Annuaire de la législation du travail publié par l'Office du Travail de Belgique.

Criminal Statistics for the year ended September 30, 1902, Canada.

Annual Report of the Live Stock Association of the Province of Ontario, 1902.

Thirty-fourth Annual Report of the Fruit Growers' Association of Ontario, 1902.

Annual Report of the Department of Agriculture of the North-west Territories, 1902.

Ninth abstract of Labour Statistics of the United Kingdom, 1901-02.

Report of the Board of Trade respecting proceedings under the Railway Regulation Act, 1893, Great Britain.

Report of the Officer-in-charge, Government Labour and Relief Station, 1902, Queensland, Australia.

Report on the workings of the Factories' and Shops' Act, 1902, New South Wales, Australia.

Thirty-third Annual Report of the Bureau of Statistics of Labour of Massachusetts, 1903.

Annual Statistics of Manufacturers, 1902, Massachusetts.

Chemical Industries and Minerals in Kansas, U.S.A.; first Biennial Report of the Kansas Bureau of Labour and Industry, 1901-02.

Irrigation in the North-west Territories of Canada, 1902.

Reports of the Harbour Commissioners of the most important harbours of Canada, 1902.

Detailed reports of the Inspector of Insurance and Registrar of Friendly Societies, 1902, Canada.

Bulletin of the Bureau of Labour, 1903, United States Department of Commerce and Labour.

Nineteenth Annual Report of the Bureau of Animal Industry, 1902, United States.

Race in Industry, from the 34th Annual Report of the Massachusetts Bureau of Statistics of Labour.

Sixteenth Annual Report of the Commissioner of Industrial Statistics of Rhode Island, U.S.A.

First Biennial Report of the Bureau of Labour and Industry of Kansas, 1901-02.

Tenth Biennial Report of the Bureau of Labour Statistics for Iowa, 1901-02.

Rapports annuels de l'Inspection du Travail, Royaume de Belgique, 1902.

Tables of Trade and Navigation of the Dominion of Canada, for the fiscal year ended June 30, 1903.

Report of Farmers' Institutes of the Province of Ontario, 1902-1903.

Annual Reports of Bureau of Industries for the Province of Ontario, 1902.

Fourth Report of the Board of Trade of proceedings under the Conciliation (Trade Disputes) Act, 1896, Great Britain.

Agricultural Statistics, Ireland, 1903.

Twenty-first Annual Coal Report of the Illinois Bureau of Labour Statistics, 1902. Also, Fourth Annual Report of the Illinois Free Employment Offices for the year ended October 1, 1902.

Annuaire Statistique. Vingt-deuxième volume, 1902, Paris, France.

Statistiques Annuelles des Institutions d'Assistance, année 1901, Paris, France.

l'année, 1902, Paris, France.

Statistique des Grèves et des Recours à la Conciliation et à l'arbitrage survenus pendant l'année 1902. Paris, France.

Reports, returns and statistics of Inland Revenues of the Dominion of Canada, for the year ended June 30, 1903.

Annual Report of the Farmers' Institutes of the Province of Ontario, 1903.

Trade Report of the Secretary of the Board of Trade upon the working of the Boiler Explosions' Acts of 1882 and 1890, Great Britain.

Returns of accidents and casualties on the several railway companies in the United Kingdom during the six months ending June 30, 1903.

U. S. Department of Agriculture, Bureau of Statistics, Report on Wages of Farm Labour in the United States.

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Field Operations of the Bureau of Soils, 1902, United States Department of Agriculture.

Twenty-fifth Annual Report of the Bureau of Labour Statistics and Inspection of Missouri for the year ending November 5, 1903.

Report of Select Committee on Agriculture and Colonization, 1903, Canada.

Report of the Postmaster General for the year ended June 30, 1903, Canada.

Report relating to the registration of births, marriages and deaths in the Province of Ontario, for the year ending December 31, 1902.

Monthly Bulletin No. 10 for December, 1903, issued by the Provincial Board of Health of Ontario.

Second Annual Report of the Temiskaming and Northern Ontario Railway Commission to December 31, 1903.

Reports of the Transvaal Labour Commission on labour conditions in South Africa.

Return relating to Seamen's Savings Banks in Great Britain.

Annual Report of the Department of the Interior for the year 1902-1903, Canada.

Report on Free Employment Offices in the United States and Foreign Countries.

Report of the Department of Trade and Commerce for the fiscal year ended June 30, 1903, Canada.

Report of the Minister of Agriculture for the Dominion of Canada for the year ended October 31, 1903.

Reports of the Geological Survey on Mineral Production in Canada.

Thirty-sixth Annual Report of the Department of Marine and Fisheries, 1903, on Canadian Merchant Marine.

Report of the Department of Indian Affairs for the year ended June 30, 1903, Canada.

Fourth Report of the Bureau of Labour, Ontario, for the year ending December 31, 1903.

Report of the Commissioner of Crown Lands, Ontario, 1903.

Eleventh Report of the Superintendent of Neglected and Dependent Children, Ontario, 1903.

Report of the Commissioner of the Department of Public Works, Ontario, for the year ending December 31, 1903.

Public Accounts, Ontario, for the year ended December 31, 1903.

Report of the Inspector of Liquor Licenses, Ontario, 1903.

Report of the Ontario Game Commission, 1903.

Thirty-third Annual Report upon the Ontario Institution for the Education of the Deaf and Dumb, 1903.

Thirty-sixth Annual Report of the Inspector of Prisons and Public Charities upon the Lunatic and Idiot Asylums of Ontario, 1903.

Thirty-second Annual Report upon the Ontario Institution for the Education of the Blind, 1903.

Report of the Minister of Colonization and Public Works, Quebec, 1903.

Report of the Department of Mines, Nova Scotia, 1903.

Twelfth Annual Report of the Bureau of Statistics and Information, Maryland, U.S.A., 1903.

Report on the Social and Industrial condition of the Negro in Massachusetts, 1904.

Report on Workmen's Trains, Great Britain, 1903.

Report on Railway Accidents in Great Britain, 1903.

Sixth Annual Report of the Government Labour Bureau of West Australia for the year ending December 31, 1903.

Die Fortschritte der amtilchen Arbeitsstatistik in den wichtigsten Staaten. Erster Teil. Bearbeitet im Kaiserlichen Statisischen Amt. Abteilung fur Arbeiterstatistik, Berlin ,Germany.

Annual Report of the Department of Railways and Canals, 1902-03, Canada.

Thirty-sixth Annual Report of the Department of Marine and Fisheries, Canada, 1903.

Abstract of Statements of Insurance Companies in Canada for the year ended December 31, 1903.

Report on Agriculture for the Province of New Brunswick, 1903.

Thirty-sixth Annual Report of the Inspector of Prisons and Reformatories, Ontario, 1903.

Twenty-ninth Annual Report of the Ontario Agricultural College and Experimental Farm, 1903.

Fifth Annual Report of the Department of Fisheries of the Province of Ontario, 1903.

Twenty-fourth Annual Report of the Inspector of Prisons and Public Charities of the Province of Ontario, 1903.

Eighteenth Annual Report of the Commissioners of the Queen Victoria Niagara Falls Park, Ontario, 1903.

Report of the Minister of Education, Ontario, 1903.

Report of the Labour Commissioners of New South Wales, June 30, 1903.

Twenty-first Annual Report of the Bureau of Labour and Industrial Statistics of the State of Michigan, including the Eleventh Annual Report of the State Inspector of Factories.

Nineteenth Annual Report of the Bureau of Labour Statistics of Connecticut, U.S.A.

Twenty-sixth Annual Report of the Bureau of Statistics of Labour and Industries of New Jersey, U.S.A.

Report of the Minister of Justice as to Penitentiaries in Canada for the year ending December 30, 1903.

Annual Report of the Minister of Mines for British Columbia for the year ending December 31, 1903.

Report on returns of accidents and casualties as reported to the Board of Trade, Great Britain, by the several Railway Companies.

Seventeenth Annual Report of the Bureau of Industrial and Labour Statistics for the State of Maine, 1903.

Twenty-seventh Annual Report of the Bureau of Labour Statistics to the 76th General Assembly of the State of Ohio, 1903.

Summary of Seventeenth Annual Report of the New York State Board of Mediation and Arbitration.

Arbeitszeit-verlangerungen (uberstunden) im Jahre, 1903, im Fabriksmassigen Betrieben, Wien. Aus des Kaiserlich-Konilichen Hof-und Staatdruckerel, 1904.

L'Industrie du Chiffon à Paris ; Imprimerie nationale, 1903.

Memorial explanatory of the reasons for an International Prohibition of Night Work for Women, issued by the Board of the International Association for Labour Legislation, 1904.

Special Reviews.

In addition to the above list of reports and blue-books reviewed under a standing heading in the *Labour Gazette* during the year a number of publications were given more extended reference in the pages of the *Gazette*. A list of the pulications reviewed in this way during the year is as follows :—

1. The report of the British Columbia Royal Labour Commission, dealing with the strikes of the U.B.R.E. employees of the Canadian Pacific Railway Company, and in the coal mining industry of the province, and their settlement by the Commission, together with the findings of the Commission as to the proceedings of trade unions, and the general labour and industrial situation in British Columbia.
2. Special reports of the Labour Department of the Board of Trade of Great Britain on changes in wages and hours, and on strikes and lock-outs occurring in Great Britain during 1902.
3. A report on the operation of conciliation and trades boards in Great Britain taken from the annual report of the Co-operative Wholesale Societies, Limited.
4. The twelfth annual report of the Ontario Bureau of Mines, containing statistical returns relating to the mineral production and the peat fuel industry of the province.
5. A bulletin of the Census Department, Ottawa, relating to the agricultural industry in Ontario.
6. A report on municipal trading and the municipal ownership and operation of public utilities in Great Britain, the United States and Canada, printed by order of the Ontario legislature.
7. A report of the committee on relations between employer and employees issued by the Commonwealth of Massachusetts containing extended reference to legislation affecting Profit Sharing, Industrial Arbitration, Hours of Labour, Employers' Liabilities, Boycotting, &c.
8. A report on Electric Lighting in Canada issued by the Dominion Statistician.
9. An article in the Bulletin of the United States Bureau of Labour for January, 1904, 'on British Trade Unions and their effect in British Industry.'
10. A report of a special commission appointed by the Government of Quebec in 1902 to investigate matters pertaining to colonization and forest industries.
11. Preliminary report of the committee appointed by the Dominion Government in December, 1903, to investigate the electroéthermic process of iron ore smelting and steel manufacture in Europe.

In addition to the above special reviews, a compilation of the various bulletins issued by the Census Department relating to the agricultural industry in Canada was published in the January issue of the *Gazette*, the final bulletin of the series having been issued in December. Tables were constructed from the statistics contained in the bulletins with the object of showing at a glance the extent of the agricultural industry for the whole Dominion and for the several provinces, with reference more particularly to agricultural areas, fruit-growing, field crops, live stock, animal products and agricultural values.

II. CONCILIATION AND ARBITRATION.

THE friendly intervention of the Department of Labour was requested on four different occasions during the year 1903-4, in connection with existing industrial disputes, the request coming in each instance from a different province of the Dominion. In one case the request was subsequently withdrawn, and in another not having been made until about three weeks after the strike to which it related had commenced, it was found that owing to the positions of the strikers having been filled in the interval, intervention was impossible. The other cases of intervention concerned the building trades in the cities of Calgary, N.W.T., and Winnipeg, Man., the strikes in these places being among the most important of the year. Altogether about 1,000 persons were directly concerned in the disputes in regard to which the department's intervention was requested, and of this number about 800 were immediately benefited by the settlements effected.

Compared with previous years the requests for intervention under the Conciliation Act were considerably fewer. This was undoubtedly owing to the fact that the number of large disputes between employers and employees was considerably less during the year 1903-04, than in the three years preceding, for which time the Conciliation Act has been in operation. The fact that the year 1903-04 was singularly free from many serious industrial disputes, is to be accounted for in part by the prosperity of the times; in part by many of the trade unions having recognized that strikes had become too frequent in preceding years, and that their continuance in any considerable number would mean serious injury to industry and trade ; and in part to a belief that conditions in some of the trades were as favourable as existing circumstances would permit.

In British Columbia, where the number and magnitude of disputes in preceding years had been so great as to necessitate the appointment of a Royal Commission to investigate the causes underlying their frequency, very few strikes or lockouts occurred, and practically none of sufficient importance to occasion serious industrial disturbance. Whilst the general causes already mentioned were applicable to British Columbia as well as to the rest of the Dominion, the report of the Commission was unquestionably a factor of considerable influence in bringing about a condition of industrial peace in that province.

It is also a signficant fact that there was no strike or lockout of importance on any of the railways of the Dominion during the fiscal year 1903-04. Among other causes accounting for this, is to be included the Railway Labour Disputes Act, which was passed during the parliamentary session of 1903, and assented to on July 10 of that year. This Act, which gave the government power to compel a reference of all matters in dispute between railway companies and their employees, in the first instance, to a committee of conciliation, and subsequently to a board of arbitration, to

conduct an investigation under oath, and prepare a report for the public, has had a tendency to make both parties hesitant of adopting a course not likely to be sanctioned by public opinion. The one important industrial dispute of the year between a railway company and its employees, and which, but for the Act would certainly have resulted in a strike, namely, the differences between the telegraphers in the employ of the Grand Trunk Railway Company and that company, was, at the close of the year, being made the subject of reference under the provisions of the Act.

In all, the friendly intervention of the Department of Labour had, at the close of the fiscal year, 1903-04, been requested on 36 occasions since the passing of the Act in July, 1900.

Settlement of Lockout in the Building Trades at Calgary, N.W.T.

The first industrial dispute of the year which was made the subject of reference under the Conciliation Act, was the lockout of carpenters at Calgary, N.W.T. The lockout was occasioned as a means of anticipating a strike, which, but for the action of the contractors who discharged their men, would have been declared on the following day. It took place on June 3, and had the effect of all but completely suspending operations in the building trades in Calgary, for a period of several weeks, just at the time of the year when conditions were most favourable for a profitable season's work.

During the month of May a number of teamsters, members of the Teamsters' Union of Calgary, endeavoured to secure a union rate of $50 per month from the master teamsters. Their request was granted by about five employers, but refused by a remaining ten. On June 1 the teamsters declared a strike, and appealed to other unions to assist them. The carpenters, in response to this appeal for sympathetic aid, decided on June 2 to give notice to the contractors by whom they were employed, that after June 4 they would not handle any lumber which might be hauled by non-union teamsters, who might take the place of teamsters on strike. Before this notice was given, however, some carpenters in the employ of one contractor, refused to work on lumber which had been brought by non-union teamsters. The contractors thereupon met together and decided to lockout all carpenters in their employ who were members of a union. This action was taken jointly with other employers in the building and lumber trades, who, having formed a sort of employers' association, agreed to stand together with the view of crushing out union labour. This position was abandoned by all save the carpenters' contractors, within ten days after the general lockout occurred in July, as all employers had not joined the association, and some refused to take a stand of the kind.

The teamsters' strike continued to the end of June, when it was finally declared off, the places of most of the union teamsters having been filled, and the union not having sufficient funds to permit of a prolonged dispute.

The differences between the carpenters and the contractors, however, remained unadjusted, despite many efforts of a conciliatory nature to bring about a common

ground of understanding between the parties. The contractors remained fixed in their determination not to employ union men, and the members of the union refused to work unless a joint agreement could be come to with the contractors. The contractors sought to secure men from outside points, but only a limited number were obtainable.

On June 17th, the secretary of the Trades and Labour Council of Calgary communicated with the Department of Labour requesting, on behalf of the striking teamsters and carpenters the friendly intervention of the department under the Conciliation Act. The Deputy Minister of Labour was, at the time, in British Columbia on official business there, and the request was made that he should stop over at Calgary on his return to Ottawa. It was not possible for the Deputy Minister to reach Calgary until July 14, but at that time, notwithstanding that many efforts had been made in the interval to adjust matters between the parties, no settlement had been come to between the contractors and carpenters, and practically all of the men who had been laid off on June, to the number of about 90, were still out of employment, save only a few who had left Calgary and obtained work elsewhere. This number did not, however, represent by any means, the numbers whose employment had been materially affected in consequence of the strike. Other branches in the building trades had found it impossible to proceed, being dependent in part on the progress made by the carpenters. The year having opened with the prospect of a prosperous season, and many important contracts having been awarded, and the work of some considerably advanced before the strike took place, the tie-up which it caused in building circles, reacted seriously on business interests. There was not wanting therefore a compelling influence to bring the parties to an understanding in the matter of their differences, and it appeared at the time the Deputy Minister arrived in Calgary, that little more was required to bring about this result, than a reference of the difficulties to an impartial third party, clothed with sufficient authority to pronounce impartially upon them. This machinery the Conciliation Act provided.

Immediately after arriving in Calgary, the Deputy Minister of Labour met a committee of the carpenters and members of the Trades and Labour Council, and after an interview with them interviewed the contractors affected. As a result of these conferences an agreement was drawn up which it was believed would be acceptable to the contractors and the men. Several contractors were then interviewed and having without exception expressed their willingness to abide by the terms expressed in the agreement, and most of them having agreed to sign individual contracts with their own employees the agreement was brought before a meeting of the Carpenters' Union on the evening of the same day. The nature of the negotiations and the terms of the agreement having been explained to the members of the union by the Deputy Minister and the President of the Union, the unions subsequently, by unanimous vote, decided to accept the agreement and have its members apply for work on the following day.

A difficulty which had to be overcome before the settlement could be effected, was the position taken, after the commencement of the strike, by the local lumber dealers in Calgary. In order to destroy the power of the Carpenters' Union, they had agreed

not to sell lumber to any man who employed union labour, or to any union man who might want to buy lumber, either to work on for himself, or for other persons. This attitude was maintained during the strike. After interviews with the Deputy Minister, the lumber merchants agreed that in the event of the proposed agreement between the contractors and the men being ratified by each of these parties, their discrimination would cease. On the following day the carpenters returned to work in accordance with the terms of the agreement.

The terms of the agreement were as follows:—

Agreement entered into this 15th day of July, 1903, between carpenters employed by , contractor, and said contractor re rate of wages for carpenters working in the city of Calgary and surrounding country for the said contractor.

The following scale of wages and conditions to go into effect on this fifteenth day of July, 1903 :—

1. A day's work to consist of nine hours.

2. A minimum rate of $2.50 per day to be paid to carpenters.

3. A maximum rate per hour or day to be made between carpenters and said contractor, according to their merits.

4. The said contractor agrees not to discriminate against union carpenters.

5. The carpenters employed by the said contractor agree not to discriminate against any non-union carpenters or any non-union men employed by him.

Dated at Calgary this
fifteenth day of July, 1903.

In connection with this strike it should be pointed out that early in the spring the contractors and the union men entered into an agreement covering the conditions of employment for the season. The threatened strike of the carpenters which was the immediate cause of the lockout, was occasioned by sympathy with a number of teamsters who had gone on strike. It was urged by the contractors that this action on the part of the union constituted an unwarranted violation of the agreement between the contractors and the union, inasmuch as the contractors were not responsible for the trouble between the teamsters and their employers, and should not, therefore, be made to suffer in consequence. It was the sense of injustice in this connection which led the contractors and others to take so strong a stand at the outset against union labour, and which held the contractors fixed in their determination not to enter into another agreement with the union as a body, but to confine agreements to their own employees, whilst conceding the right to the latter to remain members of a union, and agreeing not to discriminate against them for being such. The settlement effected secured for the carpenters a continuance of the same conditions as to wages and hours which had been in force before the strike, and which has been regarded by the employees as satisfactory. On the other hand, the rights of both parties in the matter of discrimination against union or non-union men were distinctly set forth, and individual agreements substituted for a collective agreement. In the settlement negotiations, most of the carpenters did not hesitate to acknowledge the mistake they had made in not remembering that their first allegiance was to a contract which existed between themselves and their employers, and which was being lived up to by the latter, and as a consequence, in seeking a final settlement, did not press their desire for a new agreement

with the union or ask that men who had been taken on while they were out should be displaced.

The demand for labour was such, at the time of the settlement of the dispute, that of the carpenters, who originally participated in the strike and were still in Calgary, practically all were able to obtain immediate re-employment as soon as the settlement was reached. The carpenters estimated their losses in wages alone during the six weeks continuance of the strike at about $7,500. The contractors maintained that at a conservative estimate the loss of building, which but for the strike, would have been completed during the season was between $75,000 and $100,000. With this loss to contractors and wage-earners, to say nothing of the additional loss to other classes employed in the building trades, it will be seen that business interests in Calgary suffered seriously in consequence of the trouble, and that to the community as well as to the parties immediately affected, the settlement under the Conciliation Act was a beneficial one.

Settlement of Carpenters' Strike in Winnipeg, Man.

A strike which seriously affected building operations in the city of Winnipeg was declared on October 20, on which date 700 carpenters out of a total of about 1,000 working for contractors in the city at the time, quit work. The striking carpenters were members of a local union of the United Brotherhood of Carpenters and Joiners, the Amalagamated Society of Carpenters and Joiners, and the Western Union of Carpenters and Joiners of Winnipeg, which organization had a short time before prepared jointly an agreement to govern the conditions of their trade, which agreement was submitted to the carpenter contractors for their signatures. The year 1903 witnessed the greatest amount of building in the city of Winnipeg, which it had ever known, and as the season approached a close, contractors were facing, in the natural course of things, the improbability of being able to complete in time the enormous amount of work which they had on hand. Of the several classes employed in the building trades, the services of none were more required than those of the carpenters, inasmuch as masonry and bricklaying work was almost completed on the most important structures, while much remained to be done by carpenters, both on the outside and the interiors of the buildings. The strike, therefore, seriously delayed building operations, and as the winter was approaching its continuance over any considerable length of time would have meant a great loss to contractors, as well as acute embarrassment to business interests in many quarters.

Immediately after the declaration of the strike, the carpenters requested the friendly intervention of the Department of Labour under the Conciliation Act, and the Deputy Minister of Labour was sent to Winnipeg to lend the friendly offices of the department. He arrived in that city on the 23rd of the month. The two days following were spent in interviews with most of the large contractors, and frequent meetings with a committee representing the strikers. Some differences between individual contractors and their men were cleared up as a result of these interviews, and some modifications made in the letter of the agreement which the unions sought to enforce, with the result that most of the contractors in the city signed the agreement presented. A

mass meeting of the carpenters was held after communications had been carried on between the parties by the Deputy Minister, and the latter explained to the meeting the nature and results of these negotiations. At this meeting, the committee acting on behalf of the strikers was able to report that as a result of the number of contractors who had signed the agreement, and the understandings come to with other contractors during the days immediately preceding, it was able to assure immediate re-employment in accordance with the terms desired to practically all of those who had come out on strike. A few of the contractors, including two or three of the most important in the city, refused to sign agreements, on the ground that the strike had embarrassed them, or had done so only to a slight extent, their employees having been among the number who did not come out on strike.

In a statement given to the press before leaving Winnipeg, the Deputy Minister, as a result of investigations made, summed up his view of the situation, and the causes which brought about the difficulty, as follows :

'As already reported in the press, a large number of contractors have signed agreements with the committee acting on behalf of the several unions and men on strike which guarantee to members a minimum wage of 35 cents an hour and a maximum number of working hours of nine per day. The committee has been able, I understand, to place nearly all of the original strikers, including a large number of non-union men who came out on strike, with contractors who have signed agreements. It is true that some of the contractors who have signed are small jobbers who have work which they must complete before the season is over, but I have reason to believe that among the number who have signed are some of the most substantial firms and contractors in the city. A few contractors, including two or three of the most important in the city, have not signed agreements with the union. They contend that the strike has not embarrassed them, or that it has done so only to a slight extent. The men who are working for them are mostly men who did not come out on strike. If these contractors wish to avail themselves of the services of the men who are in the union, they will have, so long as the union maintains its present attitude, to become parties, to agreements similar to such as have already been signed. Doubtless contractors themselves will know best where their interests lie in this matter.

'During the course of the past few days I have had interviews with many of the contractors affected by the strike, and have had several conferences with the strikers' committee. I have found the members of the committee very reasonable, both in the manner in which they have been inclined to view the action of the contractors and in their attitude towards suggestions which have been made. The contractors have also stated their position with great frankness and have appeared willing to explain in some detail the conditions as viewed from their standpoint. The general feeling among them appears to be that the demands were not excessive for good men, but that there is a great difference in the quality of labour seeking employment, and that for many to whom the agreement might apply the terms were excessive. Had the carpenter contractors during the year shown a willingness to discuss their mutual interests with the men, I don't think that the present strike would have taken place. I am inclined to believe that the action of the carpenters at this time has been rather a protest against the different attitude assumed towards their organization by the contractors than an industrial struggle for better conditions, although, of course, the carpenters have been perfectly sincere in their desire to establish a standard which they believe to be a fair one to competent men in the trade.

'An obstacle to joint action between the parties at the present time has been absence of any association of carpenter contractors who could deal with the situation as

a unit. I believe that such an association was in existence until recently, but, from what I can gather from interviews with the contractors, it was allowed to disappear in large part because of want of faith in the matter of allegiance by a number of its members. There are, I believe, associations of masters of this kind in practically all of the other branches of the building trades in the city, and they have either tacit or written agreements with the members of the respective trades which govern the conditions of employment over a period of time. The carpenters feel that recognition is due them similar to that accorded by their employers, to the other classes in the building trades. I believe that if an association of employing carpenter contractors, as has already existed, could be revived, and action were taken in good faith by such an association to determine fair and equitable conditions of employment with workmen to be employed by its members, an arrangement could be arrived at which would satisfactorily secure the mutual interests of the parties and at the same time protect the public against the possible interruption of industrial operations from any such cause as a lockout or strike. Needless to say a step of this kind, to be taken successfully, would have to be made in all sincerity, and with a due regard to the rights of the parties, whether they be employees or employers, to have their position as independent bargaining units duly respected.

'I might add that it had not been for a sense of obligation felt to be due their employers in consequence of existing written or verbal understandings under which they are at present working, other branches of the building trades would have attempted to aid the carpenters in their present dispute to the extent of a general sympathetic 'strike.'

The agreement, as drawn up by the several organizations, and signed by some of the contractors, was as follows :—

AGREEMENT.

This agreement, made and entered into this.....day of..... nineteen hundred and....., by and between....., party of the first part, and by Local Unions of the United Brotherhood of Carpenters and Joiners, the Amalgamated Society of Carpenters and Joiners and the Western Union of Carpenters and Joiners of Winnipeg, parties of the second part ;

Witnesseth as follows :

Whereas the party of the second part desires to have a complete and thorough understanding with the party of the first part with regard to future working arrangements, and

Whereas the party of the first part is willing to enter into an agreement with the party of the second part, up to the.....day of.....nineteen hundred and.....

Now, therefore, in consideration of the mutual agreements herein contained, to be kept and performed by the parties hereto respectively, it is hereby mutually agreed to abide by the following Working Rules for the period of time hereinabove specified.

Working Rules.

Rule 1.—That 9 hours shall constitute a day's work, from 7 to 12 a.m., and from 1 to 5 p.m., and 8 hours on Saturday, from 7 to 12 a.m., and from 1 to 4 p.m.

Rule 2.—Minimum rate of wages shall be 35 cents per hour, and all overtime shall be paid at the rate of time and one half.

Rule 3.—That 1 hour of notice be given on either side, or 1 hour's wages paid. This notice is for the purpose of enabling the workman to get his tools in order, and his wages to be paid at termination of such notice.

Sub-section to Rule 3.—That all carpenters be paid their wages in all cases every two weeks.

Rule 4.—That the party of the first part may employ one apprentice for every four journeymen, but that apprentice must be indentured by both parties of the first and second parts.

Rule 5.—That members be prohibited from taking any work after 5 p.m., either by the hour or by contract work.

Rule 6.—That these rules take effect within a radius of 5 miles from the City Hall.

That should either party to this agreement at the expiration thereof, wish to withdraw, add to, or otherwise change or alter one or more of the several clauses of said agreement, the party so wishing to withdraw, add or otherwise change or alter said clause or clauses, must and shall give three months' notice prior to the expiration of said agreement to party interested.

That this agreement in all its several clauses shall be in force for at least one year.

.....
Party of the First Part.

.....
Witness.

.....
Party of the Second Part.

It is difficult to say whether, in connection with this strike, the department by its intervention, did not render to the business interests of Winnipeg a larger service than appears on the surface. The question which was being most seriously debated at the time the Deputy Minister of Labour arrived in Winnipeg, was that of other classes of labour in the building trades coming out on strike in sympathy with the carpenters. It is possible that a firm allegiance to existing contracts with their employers would have been the attitude maintained by some of the unions in regard to this matter. On the other hand, at least one union had already passed a resolution in favour of a sympathetic strike, and had made the carpenters aware of its purpose. This much can be said with accuracy, that but for the existence of signed agreements between unions in other branches of the building trades and their employers, a sympathetic strike of other classes of labour in the building trades would have certainly taken place, and incidentally spread through the whole of the building operations of the city. It is probably no less true that the decided stand taken by the Deputy Minister of Labour against any sympathetic strike being inaugurated when he was consulted by the organizations in the matter, helped to relieve indecision, and to strengthen the position of those unions which were averse to breaking their contracts by taking part in a sympathetic strike.

Other Requests for Intervention.

The Slater Shoe Company, of Montreal, having found it difficult to carry on work with some of its employees, members of one organization, and others, members of a rival organization, issued an order during the month of July, requiring all its employees to belong to the one organization. The Canadian Federation of Shoe Workers, a local union holding a charter from the National Trades and Labour Congress of Canada, an organization restricting its membership to persons residing in Canada, was

one union concerned, and the Boot and Shoe Workers' Union, a local of the International Shoe Workers' Union, affiliated with the America Federation of Labour, the other. To compel its employees to become members of the local International Union, the company refused to employ after a certain date members of the Canadian Federation, with the result that the members of this organization to the number of about ninety, went on strike on July 22. Steps were immediately taken to fill their places by persons who were or became members of the International Union, with the result that by August 5, the company claimed that the places of the strikers had been filled, and that its business was no longer embarrassed.

On August 12, a communication from the Canadian Federation of Boot and Shoe Workers was addressed to the department, in which the grievances of this union were set forth, and a request made for the department's intervention. Immediately on receipt of this communication the Slater Shoe Company were communicated with, and a reply received, stating that the business of the company was no longer affected by the trouble, and that no good purpose could be served by the department's intervention. The communication further stated that the former employees were given until July 27, to decide whether they would be prepared to come back into the employ of the company upon the condition of their becoming members of the International Boot and Shoe Workers' Union, but as some employees did not come back their places were filled by new applicants, and that the factory had at the time of writing a full working staff.

It being evident that the time was too late for anything to be accomplished, either in the interests of those who had requested the department's intervention or in the interests of the company, no further steps at intervention were undertaken.

On October 20, 1903, the department received from Argyle Lodge, No. 10683 of the American Federation of Labour, at Port Colborne, Ont., a request to intervene in a dispute between the Empire Limestone Company at Sherkston, and its employees. In the communication in which application was made to the department, it was stated that the men on strike were members of Argyle Lodge, Port Colborne. Shortly after this communication was received, the Deputy Minister of Labour left Ottawa for Port Colborne, intending to proceed to Sherkston, a distance from Port Colborne of about six miles. Before reaching Port Colborne, however, he was informed by Mr. John Flett, at that time President of the Dominion Trades Labour Congress, and organizer of the American Federation of Labour, who was on his way to Sherkston that the Port Colborne union had no authority to deal with the matter; that there was a separate union in Sherkston which he had organized and which managed its own affairs, and that so far as the strike was concerned, it was practically over. On arriving at Port Colborne, the president and other officers of the Port Colborne Union informed the Deputy Minister that as they had been supporting the Sherkston union while on strike, and considering it a branch of their own organization, they believed they had every right to ask the intervention of the government. It appeared, however, that there was opposition to intervention on the part of certain members of the Sherkston Union, and owing to this difference of opinion no attempt was made to inter-

vene. The Port Colborne Lodge withdrew the request and endorsed the action of the Deputy Minister of Labour in not attempting to intervene and subsequently withdrew its support from the union at Sherkston.

The attitude of the Department of Labour towards industrial disputes has been from the outset to intervene only when requested by one of the parties or some responsible person or persons on their behalf, or on behalf of the community ; and in all cases, only where it appears that the parties immediately concerned or one of them, are desirous of the department's intervention. In this case, to have proceeded in an effort to bring about a settlement of differences where there could be any question as to the desire of the parties or their willingness to have the department intervene, would have been a complete departure from the department's policy under the Act.

The following table indicates the number and nature of the disputes in regard to which the friendly intervention of the department was requested under the Conciliation Act, together with particulars as to the nature of their settlement or disposition.

DEPARTMENT OF LABOUR, CANADA,
STATISTICAL TABLES. IV. A. R.—No. 3.

TABLE SHOWING INTERVENTION OF DEPARTMENT OF LABOUR IN THE SETTLEMENT OF INDUSTRIAL DISPUTES, UNDER CONCILIATION ACT, 1900, DURING THE YEAR ENDING JUNE 30, 1904.

Locality.	Trades or Industries affected.	Cause of Dispute.	Numbers affected.	Date of commencement of strike or lock-out.	Date of intervention of department.	Date of settlement effected.	Disposition.
Calgary, N.W.T.	Building trades (10 firms affected).	Lockout because of sympathy of carpenters with teamsters who had struck for increase of wages.	90	June 3, 1903	July 14, 1903	July 14, 1903	Contractors and carpenters made parties to an agreement establishing 9 hour day, minimum rate of $2.50 per day, non-discrimination against union men on part of contractors, or against non-union men on part of carpenters.
Montreal, Que.	Slater Shoe Co.	Because of the demand of employees to withdraw from Canadian Federation of Boot and Shoe Workers to become members of International Union.	90	July 22, 1903	Aug. 12, 1903	Aug. 5, 1903	At time request for intervention made Company claims to have filled places of men who had gone on strike and to be running as usual. Intervention of department therefore impossible.
Winnipeg, Man.	Building trades (89 contractors).	Demand for minimum wage of 35 cents an hour, 9 hour day and union recognition.	700	Oct. 20, 1903	Oct. 23, 1903	Oct. 26, 1903	Agreement governing conditions of employment and union recognition signed by 69 contractors at end of month.
Sherkston, Ont.	Empire Lime & Stone Co.	Change in method of wage payment and other grievances.	84	Oct. 6, 1903	Oct 20, 1903	.....	Request for intervention subsequently withdrawn.

III. FAIR WAGES ON PUBLIC CONTRACT WORK.

THE work in connection with the Fair Wages branch of the department increased considerably during the year, the number of Fair Wages schedules requested from the several departments being larger than the number of previous years. This was owing to the fact that during the year the number of contracts awarded by the several departments was somewhat larger than in preceding years, but also to the care taken by the department to see that where contracts were awarded Fair Wages conditions and schedules were inserted.

The experience of the past three years has considerably perfected the working out of the Fair Wages policy of the government, as between the several departments, with the result that to the departments themselves the utility of the insertion of labour clauses and schedules in contracts has been demonstrated, and the fears at first anticipated of delays or possible friction arising in connection with the preparation of Fair Wages schedules have been shown to be unfounded. The number of departments requesting schedules, and the number of schedules requested by each department has increased, but very little complaint has been made on the score of delay, whilst the department has yet to learn of any serious objection to the rates of wages which it has fixed for insertion in the several contracts.* The Fair Wages officers have become better acquainted with industrial conditions in the different parts of the Dominion, and schedules which formerly could be prepared only after a personal visit to the locality, of one of the Fair Wages officers, can now in many cases be prepared in the department from the information at hand.

The insertion of a clause in the Railway Act of 1903, requiring the payment of current rates of wages to workmen engaged on the construction of any railway, towards which the parliament of Canada votes financial aid by way of subsidy or guarantee has given additional force to the Fair Wages Resolution of the House of Commons of March, 1900, intended to secure the payment of current wages in connection with all work carried out under contract for the government. The section under the Railway Act which became law on October 24, 1903, is as follows :—

In every case in which the parliament of Canada votes financial aid by way of a subsidy or guarantee towards the cost of railway construction, all mechanics, labourers or other persons who perform labour in such construction shall be paid such wages as are generally accepted as current for competent workmen in the district in which the work is being performed; and if there is no current rate in such district, then a fair and reasonable rate ; and in the event of a dispute arising as to what is the current

* For an account of the manner in which far wage schedules are requested, prepared and supplied by the Department of Labour to other departments of the government, see Annual Report of the Department of Labour for he year ending June 30, 1903, p. 74.

or a fair and reasonable rate, it shall be determined by the Minister, whose decision shall be final.—3 Edward VII, c. 58, s. 205.

Altogether, a total of 116 Fair-Wages schedules were prepared during the year for the Department of Public Works, 89 for the Department of Railways and Canals, 18 for the Department of Marine and Fisheries, making a total of 223 schedules in all. Compared with previous years, the figures are as follows :

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV, A.R., No. 4.

STATISTICAL TABLE OF 'FAIR WAGES' SCHEDULES PREPARED BY THE DEPARTMENT OF LABOUR FOR THE SEVERAL DEPARTMENTS OF THE GOVERNMENT, DURING THE YEARS JULY 1900 TO JUNE, 1904 INCLUSIVE.

	1900-01.	1901-02.	1902-03.	1903-04.	Totals.
Department of Public Works	63	13	11	116	203
" Marine and Fisheries		17	12	18	47
" Railways and Canals		1	50	89	140
	63	31	73	223	390

Many of these schedules were comprehensive in extent, embracing practically all classes of labour in connection with the building trades. In each schedule particulars were given as to fair minimum wages and maximum number of working hours per day. Besides the schedules prepared for the three departments named, the Department of Labour also investigated and certified as to the fairness of the rates of wages being paid by firms furnishing supplies to, or performing work under contract for the Post Office Department.

Besides the schedules of fair wages inserted in the contracts of the large spending departments of the government, practically all of the departments have inserted general clauses for the protection of labour. The conditions inserted by the several departments and the contracts of the several departments for which schedules have been prepared by the Fair-Wages officers of the Department of Labour are as follows :

Labour Conditions inserted in Public Contracts.

Department of Public Works.

The following conditions, framed in pursuance of the Fair-Wages Resolution, were incorporated in, and formed part of each of the several contracts hereinafter mentioned as having been awarded by the Department of Public Works, for the year ended June 30th, 1904 :

The following conditions are incorporated in and shall form part of the annexed contract bearing date the day of one thousand nine hundred

Between
(therein and hereinafter called the 'contractor'), of the first part, and His Majesty, King Edward VII., represented therein by the Minister of Public Works of Canada, of the second part.

1. The contractor shall not assign or sub-let this contract, or any part or parts thereof, for the execution of all or any portion of the work included in said contract and no pretended assignment or subcontract will be recognized or in any way affect any of the following conditions or other provisions of the said contract.

2. All workmen employed upon the work comprehended in and to be executed pursuant to the said contract shall be residents of Canada, unless the Minister is of opinion that Canadian labour is not available, or that emergencies or other special circumstances exist which would render it contrary to public interest to enforce the foregoing condition in respect of the employment of resident Canadian workmen.

3. No workmen employed upon the said work shall at any time be paid less than the minimum rate of wages set forth in the Fair Wages Schedule following :—

FAIR WAGES SCHEDULE.

TRADE OR CLASS OF LABOUR.	RATE OF WAGES. Not less than the following rate per
(Here set forth a complete list of different classes of workmen to be employed on the work.—)	

4. The foregoing schedule is intended to include all the classes of labour required for the performance of the work, but if any labour is required which is not provided for by any of the items in the above schedule, the minister, or other officer authorized by him, whenever and as often as the occasion shall arise, shall have the power to fix the minimum rate of wages payable in respect of any such labour, which minimum rate shall not be less than the rate of wages generally accepted as current in each trade or class of labour for competent workmen in the district where the work is being carried out.

5. The contractor shall not be entitled to payment of any money which would otherwise be payable under the terms of the said contract in respect of work and labour performed in the execution of the said contract, unless and until he shall have filed in the office of the minister in support of his claim for payment a statement showing the names, rate of wages, amounts paid and amounts (if any) due and unpaid for wages for work and labour done by any foreman, workmen, labourer or team, employed upon the said work, and such statement shall be attested by the statutory declaration of the said contractor, or of such other person or persons as the minister may indicate or require, and the contractor shall from time to time furnish to the minister such further detailed information and evidence as the minister may deem necessary, in order to satisfy him that the conditions herein contained to secure the payment of fair wages have been complied with, and that the workmen so employed as aforesaid upon the portions of the work in respect of which payment is demanded have been paid in full.

6. In the event of default being made in payment of any money owing in respect of wages of any foreman, workmen or labourer, employed on the said work, and if a claim therefor is filed in the office of the minister, and proof thereof satisfactory to the minister is furnished, the said minister may pay such claim out of the moneys at any time payable by His Majesty under said contract and the amounts so paid shall be deemed payments to the contractor.

7. No portion of the work shall be done by piece-work.

8. The number of working hours in the day or week shall be determined by the custom of the trade in the district where the work is performed for each of the different classes of labour employed upon the work.

9. The workmen employed in the performance of the said contract shall not be required to work for longer hours than those fixed by the custom of the trade in the district where the work is carried on, except for the protection of life or property, or in case of other emergencies.

10. These conditions shall extend and apply to moneys payable for the use or hire of horses or teams, and the persons entitled to payment for the use or hire of horses or teams shall have the like rights in respect of moneys so owing them as if such moneys were payable to them in respect of wages.

11. The contractor shall not be entitled to payment of any of the money which otherwise would be payable under the terms of the said contract in respect of any goods or materials supplied, unless and until he shall have filed in the office of the minister, in support of his claim for payment, a statement showing the prices and quantities of all the goods and materials supplied for the performance of the work and the amounts paid and amounts (if any) due and unpaid for such goods and materials, the names and addresses of the vendors, and such other detailed information and evidence attested by a statutory declaration of the said contractor, or of such other person or persons as the minister may indicate or require, or may deem necessary in order to satisfy him that the conditions herein cotnained have been

complied with and that the goods and materials supplied for the portion of the work in respect of which payment is demanded have been paid for in full.

12. In the event of default being made in payment of any money owing in respect of goods and materials supplied for the work in the execution of the said contract, and if a claim therefor is filed in the office of the minister and proof of such claim satisfactory to the minister is furnished, the minister may, out of the moneys at any time payable by His Majesty under said contract, pay, or cause to be paid, such claim and the amounts so paid shall be deemed payments to the contractor.

During the fiscal year 1903-04 the department received 102 requests for Fair Wages schedules from the Department of Public Works, and schedules for all as well as for others requested during the preceding fiscal year, were supplied. The following is a list taken from the records of the department, giving the nature of the work being contracted for, the locality where it was to be carried on, and the date at which the schedule requested was supplied, of the several contracts for which schedules were requested :

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV, A.R., No. 5.

LIST OF CONTRACTS TO BE AWARDED BY THE DEPARTMENT OF PUBLIC WORKS FOR WHICH FAIR WAGES SCHEDULES WERE PREPARED BY THE DEPARTMENT OF LABOUR DURING THE YEAR ENDING JUNE 30, 1904.

Date of Supplying Schedule.	Nature of Work.	Locality.
1903.		
Aug. 25	Buildings	Alexandria and Bowmanville, Ont.
Oct. 8	Building of armoury	Cobourg, Ont.
Dec. 2	Works	Honora Bay, Manitoulin Isd., Ont.
" 1	"	Dipper Harbour, N. B.
1904.		
Jan	Works	Nanaimo, B. C. (and schedules for all parts of B. C.)
Dec. 1	Addition to public building	Sydney, N. S.
Jan. 7	Armoury	Rossland, B. C.
Dec. 5	Drill hall	Brantford, Ont.
" 3	Addition to Government Printing Bureau	Ottawa, Ont.
Jan. 26	Drill hall	St. Catharines, Ont.
" 7	Addition to public building	Nanaimo, B. C.
" 26	Addition to examining warehouse	Toronto, Ont.
" 7	Addition to post office	Winnipeg, Man.
" 26	" "	Toronto, Ont.
Dec. 7	Wharf	Grand Bend, Ont.
" 16	Works	Summerside Harbour, P. E. I.
" 16	"	Rustico Harbour, P. E. I.
" 16	"	Point Prime Harbour, P. E. I.
" 21	"	Glace Bay, N. S.
" 19	"	Tenecape, N. S.
" 19	"	Pembroke, N. S.
" 19	"	Victoria Beach, N. S.
" 19	"	Port Hood Harbour, N. S.
Jan. 16	"	McKay's Point, N. S.
" 16	"	Breton Cove, N. S.
" 16	"	Iona, N. S.
" 16	"	North Gut, St. Anns, N. S.
" 16	"	Port Bevis, N. S.
" 19	"	Port Greville, N. S.
" 19	"	Wallace Harbour, N. S.
" 7	"	Campbellton Wharf, N. B.
" 19	"	Miscou Harbour, N. B.
" 21	"	Petit Rocher, N. B.
Dec. 21	"	Dipper Harbour, N. B.
" 21	"	Grand Manan, N. B.
Jan. 9	"	Douglastown, Que.
" 9	"	Barachois de Malbaie, Que.
" 9	"	Port Daniel, Que.
" 9	"	Anse aux Gascons, Que.

Date of Supplying Schedule.	Nature of Work.	Locality.
Jan. 9....	Works	Caplan, Que.
" 9....	"	St. Godfroi de Nouvelle, Q.
" 9 ...	"	Paspebiac, Que.
" 9...	"	Maguaska, Que.
" 9 ...	"	New Richmond, Que.
" 9 ...	"	Bonaventure East, Que.
" 12....	"	Seven Islands, Que.
" 12....	"	Escoumains, Que.
" 12...	"	St. Gedeon Island, Que.
" 12....	"	Sacré Cœur, Que.
" 12....	"	Chambord, Que.
" 12....	"	St. Fulgence, Que.
" 21 ...	"	Grands Mechins, Que.
" 15....	"	St. Fidele, Que.
" 15....	"	St. Simon, Que.
Dec. 21 ..	"	Rivière du Loup, Que.
" 22 ...	"	Notre Dame du Portage, Que.
Jan. 15 ...	"	Ste. Famille, Que.
" 16 ...	"	St. Jean des Chaillons, Que.
" 16....	Wharf	Lotbinière, Que.
" 15....	Works	Pointe aux Trembles, Que.
" 15...	"	St. Maurice River, Que.
Dec. 27....	"	Pierreville, Que.
Jan. 7. .	"	Repentigny, Que.
" 7....	"	Allumette Isd., Que.
" 7...	Wharf	Ville Marie, Que.
Dec. 29 ...	Works	E. Templeton, Que.
Feb. 29 ...	"	Cumberland, Ont.
" 15....	"	Pembroke, Ont.
Jan. 19 ..	"	Parry Sound, Ont.
Feb. 11....	"	Bracebridge, Ont.
" 15....	"	Port Colborne, Ont.
Jan. 19....	"	Thessalon, Ont.
" 19....	"	Honora, Ont.
" 15...	"	Goderich, Ont.
Feb. 4 ...	"	Meaford, Ont.
" 8....	"	Port Perry, Ont.
" 1....	"	Amherstburg, Ont.
Jan. 19....	"	Spanish River, Ont.
" 8....	"	Quatsino Harbour, B. C.
" 8....	"	Sidney Harbour, B. C.
Feb. 1....	"	Grand Bend, Ont.
" 1 ...	Dredging	Amherstburg, Ont.
Jan. 19....	"	Little Current, Ont.
" 19....	"	Sault Ste. Marie, Ont.
Mch. 21..	"	New London, P. E. I.
Jan. 9....	Crib work	Dalhousie, N. B.
" 15....	"	Percé, Que.
" 16....	"	Skinner's Cove, N. S.
" 27....	"	Sault Ste. Marie, Ont.
April 25....	Construction of public building	Acton Vale, Que.
" 19....	Alterations and additions to Immigration Building	Halifax, N. S.
May 14....	Construction of public building	Winghan, Ont.
June 17....	Public building	Longueuil, Que.
" 7....	"	Terrebonne, Que.
" 6...	Post office	St. Louis du Mile, Que.
May 26....	Public building	Sidney Mines, B. C.
" 26....	"	Campbellton, N. B.
" 26....	Detention building and hospital	Partridge Isd., N. B.
" 31....	Public building	Bridgeburg, Ont.
" 31....	"	Oshawa, Ont.
June 20. ..	"	Moosejaw, N. W. T.
" 24....	Post office building	Winnipeg, Man.

Total number of schedules supplied to Department of Public Works, 1903-4, 102.

The following statement, prepared by the Department of Public Works, shows the number of contracts awarded by that department during the year 1903-04, which contained Fair Wages schedules supplied by the Department of Labour, together, in the case of each contract, with the locality in which the work was being carried out, the

date at which the contract was entered into, and the amount of the contract. In many cases the schedules inserted in these contracts were published in the *Labour Gazette* after the contract had been awarded. Where such has been the case, reference is made to the page of the *Gazette* at which these schedules appeared.

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV. A.R., No. 6.

LIST OF CONTRACTS AWARDED BY THE DEPARTMENT OF PUBLIC WORKS DURING THE YEAR ENDING JUNE 30, 1904, CONTAINING 'FAIR WAGES' SHEDULES AND ABOVE-CITED CONDITIONS FOR THE PROTECTION OF LABOUR.*

Nature of Work.	Locality.	Date of Contract	Amount of Contract.	Issue of Labour Gazette in which Fair Wages Schedule published.	
		1903.	$ cts.	Vol.	Page.
Erection of an Inland Rev. Building	St. Hyacinthe, Que	July 30	21,089 00	IV	270
Post Office Building	Thetford Mines, Que	Aug. 8	6,735 75	"	271
Superstructure of highway bridge, Ottawa River	Portage du Port, Que	" 25	9,750 00	"	89
Post Office and building	Valleyfield, Que	Sept. 14	32,500 00	"	357
Court House	Red Deer, Alta., N.W.T.	" 7	12,500 00	"	477
Public building	Sault Ste. Marie, Ont	Nov. 23	54,000 00	"	702
		1904.			
Addition for storage, Printing Bureau	Ottawa, Ont	Jan. 13	9,100 00	"	798
Wharf	Honora Bay, Ont	Feb. 22	7,900 00	"	922
Pile wharf	Pembroke, Ont	" 19	41,999 00	"	923
Armoury	Cobourg, Ont	" 24	35,550 00	"	923
Alterations and addition to P. O. building	Sydney, N.S	" 27	15,750 00	"	923
Wharf and road approach	Grand Bend, Ont	Mar. 26	21,388 00	"	1046
Extension of close-faced cribwork	Ste. Marie River, Sault Ste. Marie, Ont	Apr. 12	65,000 00	"	1154
Extension to breakwater	Anse aux Gascons, Que	" 27	15,495 00	"	1154
Breakwater	Bonaventure East, Que	" 27	15,690 00	"	1154
Public wharf	Miscou, N.B	" 27	13,700 00	"	1155
Pier	Douglastown, Ont	" 28	17,549 00	"	1155
Wharf and approach	Big Harbour, N.S	" 28	3,875 00	"	1240
Public wharf	McKay's Point, N.S	" 30	5,442 00	"	1241
Addition to Post Office and building	Nanaimo, B.C	May 4	14,475 00	"	1241
Wharf	Les Escoumains, Que	" 7	11,478 00	"	1242
Roadway from shore to Isolated Block	Lotbiniére, Que	" 7	13,400 00	"	1242
Breakwater	Tenecape, N.S	" 17	8,370 00	V	90
Extension to wharf	Iona, N.S	" 20	10,230 00	"	90
Addition to wharf	Ste. Famille, Que	" 28	17,664 00	"	92
Additional length to wharf	Port Daniel, Que	" 30	21,890 00	"	91
Addition to Express Dept. Ex'g Warehouse	Toronto, Ont	" 31	38,600 00	"	92
Wharf	Cumberland, Ont	" 31	6,275 00		
Breakwater	Petit Rocher, N.B	" 31	32,900 00	"	91
Wharf	Paspebiac, Que	" 31	19,695 00	"	91
Breakwater	St. Charles de Caplin, Que	" 31	13,700 00	"	92
Breakwater	St. Godefroi, Que	" 31	19,300 00	"	94
Drill Hall	St. Catharines, Ont	June 2	79,829 00		
Wharf	Desjardins, Allumette Is'l, Que	" 8	9,953 67	"	91
Timber and concrete cribwork to breakwater	Port Colborne, Ont	" 8	179,000 00		
Addition to Drill Hall	Brantford, Ont	" 9	25,750 00	"	93
Pilework pier	Victoria Beach, N.S	" 15	93,890 00	"	90
Drill Shed	Rossland, B.C	" 13	17,395 00	"	94
Public building	Wingham, Ont	" 24	15,500 00	"	93
Post Office and building	Action vale, Que	" 28	10,250 00		
Landing pier	Point aux Trembles, Que	" 28	33,775 00		
			1,098,432 42		

*Prepared by Department of Public Works.

It will be seen from these figures that the total amount of the several contracts in which fair Wages Schedules were inserted was over one million dollars.

Department of Railways and Canals.

The following conditions, framed in pursuance of the Fair Wages Resolution and Chap. 58, section 205, 3 Edward VII., concerning the payment of current wages to mechanics, labourers, or other persons performing labour in connection with work under subsidy or guarantee, were incorporated in and formed part of the several contracts hereinafter mentioned as having been awarded by the Department of Railways and Canals during the year ended June 30, 1904.

Approved by O.C. 31st October, 1902, as amended by O. C. 5th November, 1903.

FAIR WAGES CLAUSES.

The following conditions are incorporated in and shall form part of the annexed contract between His Majesty the King represented by the Minister of Railways and Canals, and (therein and hereinafter called the company), dated the day of 190 , and distinguished by the number

1. The company shall not make any assignment of this contract, and in the event of its entering into sub-cotract with other parties for the execution of the whole or any portion of the work subsidized, it shall not thereby be relieved from compliance with, and direct liability under the conditions following, but shall, nevertheless, continue to be bound thereby.

2. No labourers shall be employed on or about the works hereby contracted for who are not citizens or residents of Canada, but the Minister may in writing waive the provisions of this clause, either in general or to a limited extent, should he deem it expedient so to do.

3. The minimum rate of wages to be paid by the company for the labour of any employee, or the minimum rate of hire for any team, employed in or about the works, shall be the rate specified in the Fair Wages Schedule for the same or similar class of labour as that in which such employee is engaged, or for the hire of teams respectively.

4. The number of working hours for employees in the day or week shall be in accordance with the custom of the same or similar trades or classes of labour in the district where the work is being carried on,—to be determined in case of dispute by the Minister ; and no employee shall be required to work for longer hours except for the protection of life or property, or, in case of other emergencies, when the necessity therefor is confirmed by the engineer.

5. In case any labour is required in or about the works for which, in the opinion of the engineer, no rate is fixed in the said schedule, the engineer, or other officer authorized by him, may fix the minimum rate of wages payable in respect thereof, which shall not be less than the rate of wages generally accepted as current for competent workmen in the same or similar trades or class of labour in the district where the work is being carried on.

6. The company shall not be entitled to any payments under this contract in respect of of work and labour performed until it has filed in the office of the engineer a statement, in duplicate, showing the rate of wages by it paid for the various classes of labour, and the hire of teams, employed in or about the work, and, if any amounts should then be due and unpaid in respect of such wages or hire, showing in detail the names of the unpaid employees, the class of employment, rate of wages, and the amounts due to each ; nor shall the company be entitled to any payments under this contract in respect of materials or other things supplied, for use in or upon the works, until it has filed in the office of the engineer a statement in duplicate showing the prices and quantities of all such materials or things, and if any amounts should then be due and unpaid in respect thereof, showing in detail the names of the unpaid vendors, the quantities, prices, and the amounts due to each, such statement shall be attested, in duplicate, by the statutory declaration of the company, or of such officer of the company as the Minister may approve.

7. The Minister, or the engineer, may, as a further condition to such payment at any time require the company to furnish such further or other detailed information as may be necessary to establish to their satisfaction the compliance by the company with the conditions of this contract.

8. Should the company fail to adhere in every particular to the fair wages schedule hereto annexed, or permit any wages or amounts payable for the hire of teams to become or remain in arrear and unpaid, or fail to pay any accounts for materials or other things supplied for the works, the engineer may give notice in writing requiring the company to adhere to such schedule, or to pay such wages, or for such hire of teams, or for such materials or other things, as the case may be. Should the company fail for the period of forty-eight hours after the giving of such notice to comply to the terms thereof, the Minister may make such payments as shall be sufficient to effect an adherence with the schedule, or the settlement or discharge of such arrears, or indebtedness for hire or materials or things supplied, and the company in the event of any such payments being made after notice and default as aforesaid shall be estopped from setting up, as against His Majesty, the accuracy of any amounts so paid, or the existence or extent of any such indebtedness, and all amounts so paid shall be repaid at once, by the company, or may be deducted from any amounts then or thereafter due by His Majesty to the company.

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9. The Minister or the engineer may, in their discretion, at any time require proof, with such formalities or to such extent as they may deem requisite, of any claim under the said fair wages schedule, or for wages or hire of teams in arrears, or of accounts for materials, or other things unpaid.

10. The word 'engineer,' when used herein, shall mean the Chief Engineer of Railways and Canals, or such other officer as the Minister may appoint to perform his duties in respect hereof.

FAIR WAGES SCHEDULE.

The following is the minimum rate of wages to be paid respectively for the several classes of labour mentioned, or for the hire of teams, in accordance with the provisions of section 3 of the fair wages clauses :—

CLASS OF LABOUR.	MINIMUM RATE PER

During the fiscal year 1903-1904, the Department of Labour received from the Department of Railways and Canals, eighty-one requests for fair wages schedules to be inserted in contracts to be awarded by that department or having reference to railway construction work being carried on under subsidy or guarantee of the Dominion government.

The following is a list taken from the records of the Department of Labour of the several contracts to which the fair wages schedules requested were intended to apply, the localities in which the work was being carried on, and the dates at which the several schedules were supplied by the Department of Labour :—

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV. A. R.—No. 7.

LIST OF CONTRACTS TO BE AWARDED BY THE DEPARTMENT OF RAILWAYS AND CANALS FOR WHICH FAIR WAGES SCHEDULES WERE PREPARED BY THE DEPARTMENT OF LABOUR DURING THE FISCAL YEAR ENDING JUNE 30, 1904.

Date of Supplying Schedule.	Nature of Work.	Locality.
1903.		
Aug. 25....	Repairing crib work...	Courtney Bay, St. John, N.B.
" 24....	Substructure of new bridge over Welland canal...	Welland and Port Robinson, Ont.
" 27...	Baggage and express rooms for I. C. R....	Levis, Que.
Sept. 3....	Engine house for I. C. R	Ste. Flavie, Que.
" 11...	Station, water tank, &c...	Murray Harbour Beach, P. E. I.
" 23....	Raising and widening roads...	Eldon, Ont.
" 28....	Heating of engine house...	Chaudiere Station, Que.
Oct. 5....	Erection of Hillsborough bridge...	Murray Harbour, P. E. I.
" 12....	Office building	Moncton, N. B.
" 30....	Engine house, &c. I. C. R	Riviere du Loup, Que.
Nov. 2...	Buildings	Cascade Point and Coteau du Lac, Que.
Oct. 31....	Construction of railway between	Point Tupper and Broad Cove, N.S.
" 31....	Construction of railway...	Halifax to Mahone Bay, N. S.
" 31....	" "	Bridgewater to Barrington Passage, N. S.
" 31....	" "	New Germany to Caledonia, N. S.
" 31....	" "	Dartmouth to Melrose, N. S.
" 31....	" "	New Glasgow to Country Harbour and Guysboro, N. S.
" 31...	Railway between...	Caledonia and Liverpool, N. S.
Nov. 17....	Railway	Victoria Beach to Middleton, N. B.
" 26....	Buildings on branch of I. C. R....	River Ouelle, Que.
" 28....	Chateauguay & Northern Ry...	l'Epiphanie to Rawdon, Que.
" 28....	Approaches to bridge, South Shore Ry...	St. Francis River, Que.
Dec. 2...	Deepening channel way...	Sault Ste. Marie, Ont.
" 21....	Railway...	Point between Moosomin and Elkhorn to Pleasant Hills, N. W. T.

Date of Supplying Schedule.	Nature of Work.	Locality.
Dec. 14	Erection of 2,000 electric light poles	Along Welland Canal, Ont.
" 14	Buildings on Drummond Co. Ry	Moore Park, Forestdale and Acton Junction.
1904.		
Jan. 7	Freight sheds	L'Anse a Giles, Saunions and Elgin Road.
Dec. 30	Railway	Hawkesbury to South Indian, Ont.
Jan. 26	Removal of pier work	Port Robinson, Welland Canal, Ont.
" 26	Deepening rock cut	Rainey's Bend, Welland Canal, Ont.
" 26	Railway	Toronto to Sudbury, Ont.
Mch. 23	Extension, International Ry	Campbellton to Edmunston, N. B.
Feb. 3	Swing bridge over Lachine canal	Napoleon Road, Que.
" 3	Railway work in connection with Canadian Northwestern Irrigation Co	
" 2	Construction of masonry for bridge, Rideau canal.	Ottawa, Ont.
" 15	Extension of I. C. R. freight shed	Amherst, N. S.
Mch. 1	Erection of station	Fredericton, P. E. I.
" 21	Construction of railway from	St. Peters to Louisburg, N. S.
" 5	" " "	Durkton to Bobcaygeon, Ont.
" 24	" " "	Roberval to Lake St. John, Que.
" 14	Dredging and blasting rock	Halifax, N. S.
" 1	Erection of stations at	Northam, Richmond, Albany and Kinkora, P. E. I.
" 21	Construction of sled for wrecking crane	Stellarton, N. S.
" 21	Construction of car repair shop for I. C. R.	Stellarton, N. S.
" 21	Extension to I. C. R. station	Eureka, N. S.
" 21	Improvements to I. C. R. station building and dwelling	Petit Rocher, N. B.
" 21	Erection of I. C. R. freight shed	St. Pacome, Que.
" 24	Erection of I. C. R. station	Sussex, N. B.
" 30	Construction of freight shed for I. C. R.	Painsec Junction, N. B.
" 25	Construction of freight shed for I. C. R.	Davelnyville, Que.
April 12	Construction of I. C. R. station and freight shed	Ste. Rosalie Junction, Que.
" 16	Electric light plant on I. C. R.	Halifax, N. S.
" 16	Repairing north bank of canal	Cornwall, Ont.
" 15	Construction of supply weir in west bank Welland canal	Allanburg, Ont.
" 18	Double tracking on I. C. R.	Bedford and Windsor Junction.
" 12	Addition to I. C. R.	Pomquet, N. S.
" 22	Extension to I. C. R. freight shed	Nappan, N. S.
" 22	Enlargement of I. C. R. station	Springhill Junction.
" 12	Car repair shop for I. C. R.	Sydney, N. S.
" 22	Boilers for heating I. C. R. baggage building	Levis, Que.
" 22	Addition to I. C. R. station	Harbour au Bouche, N. S.
" 18	Electric plants at	Mulgrave and Point Tupper, N. S.
" 22	Straightening of main line of P. E. I. Ry	Curtis Creek, P. E. I.
" 25	Paving Mill street, Lachine Canal	Montreal, Que.
" 19	Construction of dwelling for station on I. C. R.	Eel River, N. B.
" 25	Extension to I. C. R. freight shed	North Sydney, N. S.
" 27	Extension to I. C. R. station	Brookfield, N. S.
May 18	Erection of coal shed for P. E. I. Ry	Summerside, P. E. I.
" 18	Moving and enlarging P. E. I. Ry. station	Hunter River, P. E. I.
" 7	Erection of station building for I. C. R.	Kempt, N. S.
" 7	Construction of Railway	Lac Bouchette to St. Andre, Que.
" 7	Enlargement of station and erection of freight house for I. C. R.	Rimouski, Que.
" 27	Extension of I. C. R. Ry. station and building of freight shed	St. Michel, Que.
" 23	Construction of railway	From Adamsville, N. B., to a point near Beersville, N. B.
" 18	Erection of machine shop and boiler room for I.C.R.	Chaudiere Junction, Que.
" 16	Supply of certain electrical material for	Welland Canal, Ont.
" 16	Wire fencing	Murray Canal.
May 26	Con. of railway	La Tuque, Que.
June 10	Grading, &c., of extension of I. C. R.	Picton Landing, N. S.
" 10	Improvements on I. C. R. station	Tracadie, N. S.
" 22	Installation of acetylene lighting plant	Farran's Point Canal.

Total number of Schedules requested by and supplied to the Department of Railways and Canals during the fiscal year 1903-04,—81.

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The following statement prepared by the Department of Raliways and Canals shows the number of contracts awarded by that department during the year 1903-4, which contained Fair Wages schedules, supplied by the Department of Labour, together with the localities in which the work was being carried out, the dates at which the several contracts were entered into, and the amounts of these contracts.

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES IV. A. R. No. 8.

CONTRACTS ENTERED INTO BY THE DEPARTMENT OF RAILWAYS AND CANALS DURING THE FISCAL YEAR ENDING JUNE 30, 1904, CONTAINING ABOVE CITED FAIR WAGES AND OTHER CONDITIONS FOR PROTECTION OF LABOUR.

Date.	Locality.	Nature of Work.	Amount.
1903.			$
July 21...	Intercolonial Railway.....	Extend freight car shop, Moncton, N.B.....	32,000 00
			$6.50 per sq. for roofing.
July 23...	"	Foot bridge and umbrella roofs at Lévis, Que....	27,920 00
July 25...	"	Widen roadbed for double track between Richmond and Rockingham, N.S.....	Schedule rates.
Sept. 10...	"	Repair cribwork, Courtney Bay Branch.....	Schedule rates.
Nov. 4...	"	Building for express rooms, &c., Moncton.....	11,400 00
Nov. 11...	"	Building for baggage rooms, &c., Lévis, Que.....	11,900 00
Dec. 1...	"	Heating Chaudiere Jct. engine house.....	2,914 00
Dec. 1...	"	12 stall brick engine house at Ste. Flavie, Que....	Schedule rates.
Dec. 22...	"	Erect station, &c., on River Ouelle Branch.....	3,380 00
Dec. 22...	"	Erect engine house at Riviere du Loup.....	Schedule rates.
Dec. 22...	"	Erect engine house River Ouelle Station.....	1,400 00
1904.			
Feb. 6...	"	Erect buildings at Moose Park, Forestdale and Aston Junction, Que.	Schedule rates.
Feb. 6...	"	Freight sheds, &c., at Elgin Road L'Anse a Giles & Trois Saumons, Que.....	$449.00 each.
Mar. 14...	"	Station at Rockingham, N.S.....	2,395 00
Feb. 29...	"	Extension to freight shed at Amherst, N.S.....	1,656 00
Mar. 30.	"	Dredging at Halifax, N.S.....	$9.75 per cub. yd.
May 3...	"	Electric light plants, Mulgrave and Point Tupper	6,474 00
May 6...	"	Station and freight shed at Ste. Rosalie, Que.....	2,238 00
Apr. 29...	" ...	Car repair shop at Stellarton, N.S.....	3,987 42
Apr. 25...	"	Freight shed and platform at Davelnyville, Que..	1,300 00
Apr. 15...	" ..	Improvements to station at Petite Roches, N.B..	975 00
Apr. 21...	" ..	Car repair shop at Sydney	6,321 00
Apr. 29...	"	Electric plant at Halifax.....	22,900 00
Apr. 15.	"	Extension to station at Eureka, N.S.	375 00
Apr. 25...	"	Extension to freight shed, &c., Painsec Jct.....	450 00
Apr. 15...	"	Shed for wrecking crane at Stellarton, N.S	1,370 50
Apr. 25..	"	Freight shed and platform at Pacome, Que	700 00
May 3..	"	Engine house at Sussex, N.B.....	1,595 00
May 6...	"	Addition to station at St. Pomquet.....	250 00
May 17...	"	Addition to station at Harbour au Bouche.....	250 00
June 9...	"	Enlarge station and erect freight shed at Rimouski, Que...	2,449 50
May 17...	"	Addition to Station at Springhill Jct...	750 00
May 17...	"	Extension to freight shed at N. Sydney..	2,300 00
May 31...	"	Addition to freight shed at Nappan, N.S	245 00
May 23...	"	Double tracking between Bedford Bridge and Windsor Jct.....	68,500 00
June 10...	"	Station and drain at Kempt...	2,858 00
			$1 per ft. drain.
June 24...	"	Machine shop, &c., at Chaudiere Jct., Que . .	8,495 00
June 10...	" ...	Heating plant at Lévis, Que.....	4,440 00
May 31...	"	Extension to station, &c., at St. Michel.....	1,675 00
June 15...	"	Improvements to station at Tracadie, N.S..	282 00
June 15...	"	Extend I.C.R. at Pictou Landing.....	Schedule rates.
June 8...	" ..	Combined station and dwelling at Amqui..... .	5,500 00

Date.	Locality.	Nature of Work.	Amount.
1903.			
Dec. 26..	Prince Edward Island Ry..	Transportation of 22 spans and erection of 11 spans, Hillsboro bridge	62,465 00
1904.			
Mar. 21...	Prince Edward Island Ry.	Station at Fredericton, P.E.I	540 00
Apr. 12...	" ..	Station at Northam, Richmond, Albany and Kinkora, P.E.I	$590.00 each.
June 24...	" ..	Erect coal shed at Summerside	1,600 00
June 1...	" ..	Moving and enlarging station at Hunter River	575 00
June 26...	" ..	Excavating and pipe laying at Georgetown, &c	Schedule rates.
May 17..	Cornwall Canal	Repair north bank of canal	Schedule rates.
June 16..	"	Repair shop at Cornwall, Ont	10,211 00
1903.			
Dec. 21...	Lachine Canal	Substructure of Cote St. Paul bridge	Schedule rates.
1904.			
Feb. 10...	Lachine Canal	Substructure of Brewster's Bridge	Schedule rates.
May 9...	"	Pave west end of Mill St., Montreal	Schedule rates.
June 7...	Murray Canal	Erect wire fence along both sides of Canal	$0.45 per rod.
Feb. 22...	Rideau Canal	Substructure Concession St. bridge	Schedule rates.
1903.			
Nov. 17...	Sault Ste. Marie Canal	Deepen and widen channel way at upper entrance of Canal	$0.80 per cub. yd.
1904.			
Feb. 22.	Sault Ste. Marie Canal	Extension to south mooring pier of lower entrance of Canal	Schedule rates.
1903.			
Dec. 1...	Soulanges Canal	Erect buildings at Cascade Pt. and Coteau du Lac, Que	16,998 06
Oct. 10...	Trent Canal	Raise and widen roads on Section 1 Simcoe Balsam Lake Division	Schedule rates.
Sept. 4...	Welland Canal	Substructures of Welland and Port Robinson bridges, Ont	Schedule rates.
1904.			
Jan. 8...	Welland Canal	Setting of 2,000 electric light poles between Port Dalhousie and Port Colborne	Schedule rates.
Feb. 22...	"	Deepen rock cut at Ramey's Bend north of Village of Humberstone	$2.90 per cub. yd.
Feb. 22...	"	Removal of centre pier, &c., of Port Robinson, Quaker and Welland bridges	Schedule rates.
May 7...	"	Supply weir in west bank at Allanburg	Schedule rates.
June 30...	"	Arc lamps, regulators, &c	Schedule rates.
May 22...	"	Arc lamps, regulators, &c	Schedule rates.

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SUBSIDY AGREEMENTS FOR THE CONSTRUCTION OF RAILWAYS ENTERED INTO BY THE DEPARTMENT OF RAILWAYS AND CANALS DURING THE FISCAL YEAR ENDING JUNE 30, 1904, CONTAINING ABOVE CITED FAIR WAGES AND OTHER CONDITIONS FOR PROTECTION OF LABOUR.*

Date.	Line of Railway to be constructed.	Amount of Subsidy.	
		Per Mile.	Not exceeding.
1904.			
Jan. 23....	Extension of Railway from point near Astinolite to a point in Township of Marmora, Hastings Co.	$3,200	$6,400
June 24....	From Adamsville to point near Brown's Landing or Beersville....	3,200	6,400
July 3....	From Grand View to Edmonton, 620 miles; and Prince Albert Branch 100 miles east from Prince Albert....	Guarantee of Principal and interest of Co.'s securities to the extent of $13,000 per mile.	
1903.			
Dec. 12....	From point on main line near L'Epiphanie to village of Rawdon..	$3,200	$6,400
Dec. 7....	From point on line of Winnipeg Great Northern Railway, north of Swan River to Prince Albert, N.W.T..	3,200	6,400
Dec. 7....	In further extension north of Swan River towards Prince Albert, N.W.T.	3,200	6,400
Dec. 21....	St. Francis River Bridge	...	50,000
Dec. 21....	For completion of foundation and approaches of St. Francis River Bridge.		35,000
Dec. 26....	From Hawkesbury, Ont., to South Indian	3,200	6,400
1904.			
Jan. 14 ...	From point on main line between Moosomin and Elkhorn, northwesterly to point in neighbourhood of Pheasant Hills	3,200	6,400
June 24....	From Strathcona to Edmonton, &c	3,200	6,400
1903.			
Nov. 9....	From Halifax to Malone Bay..	3,200	6,400
Nov. 9....	From Bridgewater toward Barrington Passage; also a line to Barrington Passage in addition....	3,200	6,400
Nov. 9...	From New Germany to Caledonia	3,200	6,400
Nov. 9....	From Caledonia to Liverpool	3,200	6,400
Nov. 9....	From Cheticamp to point between Broad Cove and Point Tupper.	3,200	6,400
Nov. 9....	From Point Tupper to Broad Cove	3,200	6,400
1904.			
Jan. 15....	From W. End of its 10 miles towards point on St. John River between Grand Falls and Edmundston	3,200	6,400
Mar. 14....	Between Buckton and Bobcaygeon	3,200	6,400
1903.			
Dec. 28....	From Victoria Beach to Middleton	3,200	6,400
1904.			
April 15...	(1) New Glasgow to Cross Roads, 116 miles	3,200	6,400
	(2) Dartmouth to Melrose through Musquodoboit Valley, 120 miles	3,200	6,400
1903.			
July 10 ...	From Aylmer to Hull, Que	3,200	6,400
Aug. 25 ...	From end of 62nd, mile toward Desert	3,200	6,400
Aug. 25....	Unearned balance of subsidy upon the 62 miles from Hull towards Desert 1897, C. 4, Sec. 3. Par. 3		35,872
1904.			
Feb. 17....	From Campbellton on I. C. Ry. N.B., towards Grand Falls	3,200	6,400
1903.			
Dec. 21....	St Francis River Bridge		50,000
Dec. 21....	For completion of foundation and approaches of St. Francis River Bridge.		35,000
1904.			
Mar. 14. ..	From Spring Coulee to Cardston, 16 miles, and from point on this line intake of Irrigation Canal, 16 miles	3,200	3,200

* Supplied by the Department of Railways and Canals.

Department of Marine and Fisheries.

The following conditions, framed in pursuance of the Fair Wages Resolution, were incorporated in, and formed part of each of the several contracts hereinafter mentioned as having been awarded by the Department of Public Works, for the year ended June 30th, 1904 :

The wages to be paid in the execution of this contract shall be those generally accepted as current in each trade for competent workmen in the district where the work is carried on. If this condition is violated the said party of the second part may cancel the contract and refuse to accept any work done thereunder. No workman employed upon said work shall at any time be paid less than the minimum rate of wages set forth in the fair wages schedule attached, provided the schedule fairly represents the current rate of wages in the locality where the work is being carried on.

During the fiscal year 1903-04 the department received 17 requests for Fair Wages schedules from the Department of Marine and Fisheries, and schedules for all were supplied by the department. The following is a list taken from the records of the department, giving the nature of the work being contracted for, the locality where it was to be carried on, and the date at which the schedule requested was supplied by the Department of Labour :

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV, A,R.—No. 9.

LIST OF CONTRACTS TO BE AWARDED BY THE DEPARTMENT OF MARINE AND FISHERIES FOR WHICH FAIR WAGES SCHEDULES WERE PREPARED BY THE DEPARTMENT OF LABOUR DURING THE FISCAL YEAR ENDING JUNE 30, 1904.

Date of furnishing Schedule.	Nature of Work.	Locality.
1903.		
Sept. 29....	Lighthouse	St. Andrews Harbour, N.B.
" 29....	Fog alarm building	Cape Sharp, N.S.
Nov. 19....	Dwelling for lighthouse keeper	Vancouver, B.C.
Oct. 23 ...	Lighthouse	Providence Bay, Manitoulin Id., Ont
" 30....	Fog alarm building	Tiner Pt., N.B.
" 28....	Dwelling for lighthouse keeper	Mouth of River Thames, Ont.
Nov. 9 ...	Building for marine hospital	Louisburg, N.S.
" 9...	Two wooden lighthouses	West Arichat, N.S.
Dec. 9....	Two wooden range lights	Wallace Harbour, N.S.
" 9....	Lighthouse tower	Magdalen Id., Que.
1904.		
Jan. 25....	Steel fishery cruiser	Toronto, Ont.
" 22 ...	Lighthouse tower	Gilbert Cove Point, N.S.
" 22....	" "	West End Pictou Id., N.S.
Mar. 24....	Construction of lighthouse on cribwork block.	Sand Beach Point, Q.
" 22....	Construction of two inclosed towers for range lights.	Canso Harbour, N.S.
" 24....	Construction of two range light buildings	Oak Point, Miramichi River, N.B.
" 28....	Construction of two wooden lighthouse towers	Long Point, Que.

The following statement, prepared by the Department of Marine and Fisheries, shows the number of contracts awarded by that department during the year 1903-04, which contained Fair Wages schedules supplied by the Department of Labour, together with the localities in which the work was being carried out, the dates at which the several contracts were entered into, and the amounts of these contracts :

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV, A. R.—No. 10.

CONTRACTS AWARDED BY THE DEPARTMENT OF MARINE AND FISHERIES DURING THE FISCAL YEAR ENDING JUNE 30, 1904, CONTAINING FAIR WAGES CLAUSES ABOVE CITED, AND FAIR WAGES SCHEDULES PREPARED BY THE DEPARTMENT OF LABOUR.

Date.	Locality.	Nature of Contract.	Amount of Contract.
1903.			
July 2...	Canning River, N.S.	Construction of lighthouse towers	$1,190 00
" 21. .	Pictou, N.S.	Repairing steamer *Stanley*	3,975 00
Aug.25...	Kincardine, Ont.	Construction of life-boat house	452 00
Sept.21...	Amherst, N.S.	" fog whistle boiler	1,110 00
" 21...	St. Andrews Harbour, N.S.	" lighthouse	2,000 00
" 21...	Cape Sharpe, N.S.	" fog alarm building	1,307 00
Oct. 31...	Providence Bay, Ont	" lighthouse	1,237 00
" 17...	New Glasgow, N.S.	" donkey boilers	790 00
" 31...	River Thames, Ont	" dwelling	1,721 50
Nov. 3...	Tiner Point, N.B.	" fog-alarm building	1,800 00
" 3. .	New Glasgow, N.S.	" steel buoys	8,385 00
" 5...	Yarmouth, N.S.	" "	3,472 00
" 5...	Amherst, N.S.	" "	1,671 00
" 6...	Victoria, B.C.	" boiler	780 00
" 16...	West Arichat, N.S.	" range light towers	800 00
Dec. 1...	Wallace Harbour, N.S.	" " "	2,400 00
" 21...	Bryon Island, P.Q.	" lighthouse	5,497 00
1904.			
Feb. 1...	Tiner Point, N.B.	" dwelling	1,800 00
" 1...	Gilbert Cove, N.S.	" lighthouse	1,193 00
" 2...	Pictou Island, N.S.	" lighthouse tower	1,470 00
Mar. 2...	Gaspé Basin, P.Q.	" crib work block	8,450 00
" 22...	Vancouver, B.C.	" steel buoys	7,300 17
" 28...	Oak Point, N.B.	" lighthouse towers	1,480 00
" 28...	Canso Harbour, N.S	" range light towers	2,590 00
May 6...	Lunenburg, N.S.	Repairs to Marine Hospital	2,250 00
June22...	Amherst, N.S.	Construction of boiler	1,000 00
" 6...	St. John, N.B.	" steel buoys	828 00
" 6...	Amherst, N.S.	" "	735 00
" 6...	Yarmouth, N.S.	" "	7,532 00
" 6...	New Glasgow, N.S.	" "	1,650 00
Feb. 1...	Louisburg, N.S.	" a wooden building for Marine Hospital	9,300 00
		Total	$86,265 67

* Prepared by the Department of Marine and Fisheries.

It will appear from this statement that the total amounts of the contracts containing Fair Wages schedules entered into by the Department of Marine and Fisheries during the fiscal year, 1903-04, was $86,265.67.

Post Office Department.

During the fiscal year 1903-04, only one new contract was entered into by the Post Office Department, namely, a contract for the supplying of mail bags for a term of four years. The contractor was obliged to submit, for the approval of the Department of Labour, a statement of the classes of labour to be employed in connection with this work, the minimum rate of wages per day to be paid to the several classes of labour engaged in the work, and the maximum number of hours per day to be worked. The contractor was further required to make a statutory declaration before obtaining payment on account of any work performed, to the effect that he had com-

plied with the conditions as to wages and other regulations inserted in his contract, for the protection of labour and the suppression of the sweating system.

The folowing is a copy of the regulations which form part of the contract :

REGULATINGS REGARDING THE 'SWEATING' SYSTEM.

With a view to suppressing the 'sweating' system and securing payment to the working men and working women of fair wages, and the performance of the work under proper sanitary conditions, the contract for shall be subject to the following regulations and strict compliance with the true spirit and intent of the various provisions herein contained will be required :—

* Clause 1.—Except with the written permission of the Postmaster General, all included in the said contract shall be made up in the contractor's own factory, and no portion of the work of making up such shall be done at the houses of the workpeople. The contract shall not, nor shall any portion thereof, be transferred without the written permission of the Postmaster General, and subletting of the contract or of the work so performed under the contract, is hereby prohibited. Any infringement of the provisions of this clause or any of them, if proved to the satisfaction of the Governor in Council, shall render the contractor liable to a fine not exceeding five hundred dollars for each offence, which may be deducted from any moneys payable to him under the contract, and if the amount earned by the contractor under the contract and still in the hands of the government be insufficient to meet the amount of such fines, then the government may apply the sum in their hands towards payment of the amount of such fines, and may recover the deficiency from the contractor in any action, suit or proceeding by way of information in any court of competent jurisdiction as a debt due by the contractor to the Crown as a liquidated amount, and any Order in Council fixing the amount of such deficiency shall be conclusive proof of the amount of such deficiency in any action, suit or proceeding.

Clause 2.—If the contractor violate the conditions herein mentioned against sub-letting, shall not be entitled to receive any payment under the contract for work done by the sub-contractor and the Postmaster General may refuse to accept any work performed by a sub-contractor in violation of the prohibition herein contained against sub-letting.

Clause 3.—The wages to be paid in the execution of this contract shall be those, which in the opinion of the Postmaster General are generally accepted as current in each trade for competent working men and working women in the district where the work is carried out. If there be no such current rate of wages, then the contractor shall pay wages at such rate as the Postmaster General shall in writing declare to be just and reasonable, and if either of these conditions is violated, the Postmaster General may cancel said contract, and refuse to accept any work thereunder.

Clause 4.—All working men and working women employed upon the work comprehended in and to be executed pursuant to the said contract shall be residents of Canada.

Clause 5.—The contractor shall not be entitled to payment of any money which would otherwise be payable under the terms of the contract in respect of work and labour performed in the execution thereof, unless and until shall have filed in the office of the Postmaster General in support of claim for payment a statement showing the classes of labour, rates of wages, hours per day, amounts paid, and amounts (if any) due and unpaid for wages for work and labour done by any foremen, working men or working women employed upon the said work, and such statement shall be attested by the statutory declaration of the said contractor or of such other person or persons as the Minister may indicate or require, and the contractor shall from time to time furnish to the Postmaster General such further detailed information and evidence as the Postmaster General may deem necessary, in order to satisfy him that the conditions herein contained to secure the payment of fair wages have been complied with, and that the working men or working women so employed as aforesaid upon the portion of the work in respect of which payment is demanded have been paid in full.

Clause 6.—In the event of default being made in payment of any money owing in respect of wages of any foremen, working men or working women employed on the said work, and if a claim therefor is filed in the office of the Postmaster General and proof thereof satisfactory to the Postmaster General is furnished, the said Postmaster General may pay such claim out of any moneys at any time payable by His Majesty under said contract, and the amounts so paid shall be deemed payments to the contractor.

* Clause 7.—Except with the written permission of the Postmaster General, no portion of the work shall be done by piece work.

* In these cases the written permission of the Postmaster General will be granted only where it is the custom of the trade in the locality where the contract is being executed, to have the work performed on premises other than the contractor's own factory, or where the customary method of working is by the piece. The facts to be ascertained if necessary by investigation by the officers of the Department of Labour.

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Clause 8.—The number of working hours in the day or week shall be determined by the custom of the trade in the district where the work is performed for each of the different classes of labour employed upon the work.

Clause 9.—The working men and the working women employed in the performance of the said contract shall not be required to work for longer hours than those fixed by the custom of the trades in the district where the work is carried on, except for the protection of life or property, or in case of other emergencies.

Post Office Department, Canada.
Ottawa.

During the fiscal year 1903-1904, articles have been supplied to the Post Office Department under contracts executed before the beginning of the fiscal year. These contracts, however, contained the same regulations for the suppression of the sweating system, and have been executed subject to the same conditions as the contract entered into during the year.

Not only in work performed under contract for the Post Office Department, but in the matter of all supplies furnished to the department the persons furnishing such supplies have been obliged to submit to the Post Office Department for approval by the Department of Labour a statement of the rates of wages paid to their employees, and the hours of labour required to be worked by them. On furnishing supplies they have been obliged to submit with their accounts a declaration affirming that they have strictly complied with the conditions as proposed.

The following is a list of supplies furnished the Post Office Department during the fiscal year 1903-1904 under contract or otherwise, all of which have been furnished under conditions for the protection of labour employed, approved of by the Department of Labour :—

DEPARTMENT OF LABOUR, CANADA.
STATISTICAL TABLES, IV. A.R.—No. 11.

LIST of supplies furnished to the Post Office Department during the fiscal year 1903–4, under contract, agreement, or by purchase, all of which were made subject to the conditions for the suppression of the sweating system :—

Nature of Order.	Amount of Order
	$ cts.
Making and repairing metal dating and other stamps and type and brass crown seals	4,804 87
Making and repairing rubber dating and other hand stamps and type	394 25
Supplying stamping material, inclusive of making and repairing pads, also wooden boxes and post marking and cancelling ink	6,459 12
Making and repairing post office scales	2,158 43
Supplying mail bags	13,138 63
Repairing mail bags	11,327 16
Repairing mail locks and supplying mail bags fittings	4,213 40
Supplying letter boxes and railway clerks' tin boxes and repairing railway clerks' tin boxes and portable tin letter boxes	3,709 70
Miscellaneous orders for making and repairing postal stores	498 30
Making up and supplying articles of official uniform	19,893 80

Department of the North-west Mounted Police.

No contracts for manufactured goods requiring the insertion of Fair Wages clauses were made by the department of the North-west Mounted Police during the

fiscal year 1903-1904. The supplies for that department were purchased during the year under old contracts which had been running for three years. These contracts contained the following clause for the protection of labour :—

Eight.—With a view to suppressing the sweating system and securing payment to the workmen of fair wages, and the performance of the work under proper sanitary conditions, this contract shall be subject to the following regulations, and strict compliance with the true spirit and intent of the various provisions herein contained is required :—

Sec. 1.—All articles included in this contract shall be made up in the contractor's own factory, and no portion of the work of making up such articles shall be done at the houses of the workpeople. The contract shall not, nor shall any part thereof be transferred without the permission of the and sub-letting of the contract, other than that which may be customary in the trades concerned is hereby prohibited. Any infringement of the provisions of this clause, or any of them, if proved to the satisfaction of the Governor in Council, shall render the contractor liable to a fine not exceeding five hundred dollars for each offence, which may be deducted from any moneys payable to him under this contract, and if the amount earned by the contractor under this contract and still in the hands of the government be insufficient to meet the amount of such fines, then the government may apply the sum in their hands towards payment of the amount of such fines, and may recover the deficiency from the contractor in any action, suit or proceeding by way of information in any court of competent jurisdiction as a debt due by the contractor to the Crown as a liquidated amount, and any Order in Council fixing the amount of such deficiency in any such action, suit or proceeding.

Sec. 2.—If the contractor violates the condition herein mentioned against sub-letting, he shall not be entitled to receive any payment under the contract for work done by the sub-contractor, and the may refuse to accept any work performed by a sub-contractor in violation of the prohibition herein contained against sub-letting.

Sec. 3.—The wages to be paid in the execution of this contract shall be those generally accepted as current in such trade for competent workmen in the district where the work is carried on. If this condition is violated the may cancel the contract and refuse to accept any work done thereunder, and the contractor will thereafter not be allowed to undertake any work for the North-west Mounted Police.

Sec. 4.—The factory, and the work there being performed under this contract, shall at all reasonable times be open to inspection by persons therefor authorized in writing by the

Sec. 5.—Before being entitled to payment of any moneys which the contractor may from time to time claim to be due him under this contract, he shall file with the in support of such claim, a solemn statutory declaration of himself and of such others as the indicate, testifying to the rates of wages paid in execution of this contract, and to the manner in all other respects in which the provisions of this contract have been observed and the work performed, and generally setting forth such information as the may require, and as will enable him to determine whether, and if so, in what respects any of the provisions of this contract may have been violated. In the case of the contractor's absence from the country, his extreme illness, or death, but under no other circumstances, may such statutory declaration by the contractor personally be dispensed with ; but, nevertheless, such other statutory declaration as aforesaid as the may call for, shall be so filed.

Department of Militia and Defence.

The following conditions, framed in pursuance of the Fair Wages resolution were incorporated in and formed part of each of the several contracts hereinafter mentioned as having been awarded by the Department of Militia and Defence during the year ending June 30, 1904.

Eighth.—With a view of suppressing the sweating system and securing payment to the workmen of fair wages, and the performance of the work under proper sanitary conditions, this contract shall be subject to the following regulations, and strict compliance with the true spirit and intent of the various provisions herein contained is required :—

Sec. 1.—All articles included in this contract shall be made up in the contractor's own factory, and no portion of the work of making up such articles shall be done at the houses of the workpeople. The contract shall not, nor shall any portion thereof, be transferred without the written permission of the Minister of Militia and Defence, and sub-letting of the contract or any of the work to be performed under the contract, other than that which may

be customary in the trades concerned, is hereby prohibited. Any infringement of the provisions of this clause, or any of them, if proved to the satisfaction of the Governor in Council, shall render the contractors liable to a fine not exceeding five hundred dollars for each offence, which may be deducted from any moneys payable to him under this contract, and if the amount earned by the contractors under this contract and still in the hands of the government be insufficient to meet the amount of such fines, then the government may apply the sum in their hands towards payment of the amount of such fines, and may recover the deficiency from the contractors in any action, suit or proceeding by way of information in any court of competent jurisdiction as a debt due by the contractors to the Crown as a liquidated amount, and any Order in Council fixing the amount of such deficiency shall be conclusive proof of the amount of such deficiency in any such action, suit or proceeding.

Sec. 2.—If the contractors violates the condition herein mentioned against sub-letting, they shall not be entitled to receive any payment under the contract for work done by the sub-contractor, and the Minister of Militia and Defence may refuse to accept any work performed by a sub-contractor in violation of the prohibition herein contained against sub-letting.

Sec. 3.—The wages to be paid in the execution of this contract shall be those generally accepted as current in each trade for competent workmen in the district where the work is carried on. If this condition is violated the Minister of Militia and Defence may cancel the contract and refuse to accept any work done thereunder, and the contractors will thereafter not be allowed to undertake any work for the Department of Militia and Defence.

Sec. 4.—The factory, and the work there being performed under this contract, shall at all reasonable times be open to inspection by persons therefor authorized in writing by the Minister of Militia and Defence.

Sec. 5.—Before being entitled to payment of any money which the contractors may from time to time claim to be due them under this contract, they shall file with the Minister of Militia and Defence in support of such claim, a solemn statutory declaration of themselves and of such others as the Minister of Militia and Defence may indicate, testifying to the rates of wages paid in execution of this contract, and to the manner in all other respects in which the provisions of this contract have been observed and the work performed, and generally setting forth such information as the Minister of Militia and Defence may require, and as will enable him to determine whether, and if so, in what respects any of the provisions of this contract may have been violated. In the case of the contractor's absence from the country, their extreme illness, or death, but under no other circumstance, may such statutory declaration by the contractors personally be dispensed with ; but, nevertheless, such other statutory declarations as aforesaid as the Minister of Miiltia and Defence may call for, shall be so filed.

Contracts awarded by the Department of Militia and Defence during the fiscal year ending June 30, 1904, containing the above cited fair wages and other conditions for the protection of labour.

Date.	Locality.	Nature of Contract.
1903.		
Oct. 24	Hamilton	(1,000) One thousand great coats, gray, with capes.
"	"	(100) One hundred tunics, cloth, Royal Canadian Dragoons.
"	"	(500) Five hundred tunics, cloth, Army Service Corps.
"	"	(1,000) One thousand tunics, cloth, Rifle.
"	"	(150) One hundred and fifty tunics, cloth, Ordnance Stores Corps.
"	"	(400) Four hundred frocks, serge, Engineers.
"	"	(500) Five hundred frocks, serge, R. C. Dragoons.
"	"	(500) Five hundred frocks, serge, Manitoba Dragoons.
"	"	(500) Five hundred frocks, serge, Hussars.
"	"	(1,500) Fifteen hundred frocks, serge, Artillery (Active Militia).
"	"	(300) Three hundred frocks, serge, Infantry (Permanent Force).
"	"	(5,000) Five thousand frocks, serge, Infantry (Active Militia).
"	"	(2,000) Two thousand frocks, serge, Rifles.
"	"	(500) Five hundred frocks, serge, Army Medical Corps.
"	"	(150) One hundred and fifty frocks, serge, Ordnance Stores Corps.
"	"	(500) Five hundred trousers, cloth, R. C. Dragoons.
"	"	(150) One hundred and fifty trousers, cloth, Ordnance Stores Corps.
"	"	(2,000) Two thousand pantaloons, serge, Cavalry (Active Militia).
"	"	(600) Six hundred frocks, tartan, R. C. Dragoons.
"	"	(800) Eight hundred frocks, tartan, Artillery (Permanent Force).
"	"	(600) Six hundred pantaloons, tartan, R. C. Dragoons.
"	"	(1,000) One thousand frocks, tartan, Infantry.
"	Montreal	(1,000) One thousand gray cloaks.
"	"	(5,000) Five thousand gray great coats.
"	"	(800) Eight hundred tartan colour cloaks.
"	"	(2,500) Two thousand five hundred tartan colour great coats.
"	"	(2,000) Two thousand Rifle trousers, serge.
"	"	(500) Five hundred Artillery trousers, serge.
"	"	(1,000) One thousand Infantry trousers, tartan colour.
"	"	(500) Five hundred Artillery pantaloons, serge.
"	Toronto	(1,000) sets of Colonial saddles and bridles, complete.
"	Montreal	(1,000) sets of Colonial saddles and bridles, complete.

Investigation of Complaints as to Non-payment of current rates of Wages, and Non-performance of conditions in Government Contracts.

During the fiscal year 1903-04 there were but few complaints received by the department to the effect that contractors had not complied with the conditions for the protection of labour inserted in contracts awarded by the several departments of the government. These together with three other complaints made during the previous year, but which had not been disposed of at its close, were investigated by the Fair Wages officers of the department during the year.

In the case of claims for $86.02 and $45.65 made respectively, by two men who had been employed by a contractor in connection with grading on the Canada Northern Railway, the department of Labour having investigated the claims and reported thereon, the Department of Railways and Canals, in accordance with the provisions governing the withholding of payment of subsidies while any wages claims were outstanding, brought the matter to the attention of the railway company, which undertook to make

good the payment of these claims. The claims were shown to have arisen through the default of one of the contractors.

A complaint made against a contractor who was doing work for the Department of Militia and Defence, to the effect that he was not paying the current rates to painters in his employ in the city of Toronto, was shown on investigation by the Fair Wages officers to be well-founded ; and the Department of Militia and Defence, upon the report made by the Department of Labour, requested the contractor to pay his employees according to the prevailing scale in Toronto, in connection with work on which he was engaged for that department.

A claim for payment at the rate of 20 cents per hour, instead of 15 cents, in connection with public work being carried on at Quebec was shown, after investigation by the Department of Labour, not to have been well-founded, the complainants having been wrongly informed as to the rates which contractors were obliged to pay.

Similarly, a claim for $43 made by a night watchman for services rendered, was disallowed by the Department of Public Works, on the ground that the rate of $1.25 per day was a fair rate for the class of service rendered, while the claim was based on the difference alleged to be due for payment at the rate of $1.50 per day, instead of at $1.25.

The other claims made were based upon amounts alleged to be due in accordance with the rates set forth in the Fair Wages schedules attached to contracts. In one case it was stated by the complainant that he had been employed as foreman of masonry, and had performed services as such, but had received payment only as a general foreman. In the other cases there was no dispute as to the class of labour performed, or as to the rate of wages which had been paid, but the contractors contended that by virtue of agreements between themselves and their employees made subsequent to the signing of the contract, the amounts claimed had been withheld for other purposes in accordance with the terms of these agreements. The Fair Wages officers fully investigated these claims and a report upon them was sent to the department affected. These reports were subsequently referred to the Department of Justice, which department, without expressing an opinion as to whether or not the claims were well-founded, maintained that any default of the contractor under the contract would have to be proved in the first instance before the ordinary tribunals.

In his ruling in regard to certain of these claims, the Deputy Minister of Justice said : 'It cannot, in my opinion, have been intended that the minister is to be put in the place of the courts for the determination of such questions, and I do not think that the determination by the minister of the present claims favourably to the claimants, and payment of the moneys earned under the contract to them, could be well pleaded in answer to an action by the contractor to recover these moneys from the Crown.'

In view of this opinion of the Department of Justice as to the meaning and intent of the conditions at present inserted in contracts in pursuance of the Fair Wages Resolution of the House of Commons of March, 1900, it is evident that further

and more explicit conditions should be inserted, if the full effect intended by the House of Commons is to be given to this resolution. It is well-known that workingmen find it difficult to prosecute their claims against contractors in the courts, especially where amounts involved are small, and it is also true that in order to secure employment they are sometimes induced to forego rights which are intended by conditions inserted in contracts to be secured to them. It is unfair that any one contractor should be allowed to gain an advantage over his fellow contractors in virtue of agreements or understandings which he may be able to force with his employees subsequent to the awarding of a contract. The minimum rate of wages to be paid and other conditions are clearly set forth so that contractors may take them into consideration in making their tenders, and the amount guaranteed by the government is fixed in virtue of the labour conditions, quite as much as other conditions. It would appear desirable therefor and in accordance with the spirit of the resolution of the House to have a clause inserted in all contracts to the effect that verbal or written agreements made between contractors and employees, whereby an employee may agree to forego in whole or in part any of the rights or privileges intended to be secured to him by any clause appearing in the contract, should be null and void; also, to prevent unnecessary litigation, a clause to the effect that in all questions of dispute arising between contractors and their employees in regard to the rights or privileges intended to be secured to any employee by any clause in the contract, the Minister should have power to decide any such question, and such decision of the Minister be final.

The following table will show the nature of the investigations which have been made by the Fair Wages Officers of the Department of Labour during the year ended June 30, 1904, into complaints received by the department, nature of claims presented, the department of the government affected, and disposition made of these claims.

TABLE SHOWING NATURE AND RESULTS OF INVESTIGATIONS MADE BY FAIR WAGES OFFICERS DURING THE YEAR ENDING JUNE 30, 1904.

Date received.	Locality and Public Work.	Department affected.	Subject of Investigation.	Action taken by Department of Labour.	Disposition.
COMPLAINTS RECEIVED DURING YEAR ENDING JUNE 30, 1903, BUT NOT DISPOSED OF UNTIL YEAR ENDING JUNE 30, 1904.					
1903.					
Feb. 7...	Nelson, B. C. (Post Office).	Public Works.	Claims made for $1,497.60 alleged to be due as general foreman.	Report made to Department of Public Works.	Nov. 24, 1903. Upon a reference to Department of Justice for opinion, that department ruled that case was one of agreement between the parties, to be settled by the Courts, and that Minister had no jurisdiction in the matter.
" 7...	" "	"	Claim for $300 alleged to be due for labour.	" "	
June 23...	Toronto, Ont. (Drill Hall).	Militia and Defence.	Contractor for painting of Drill Hall, alleged to be paying less than current rate to painters.	Investigated by Department of Labour and claim shown to be well founded in certain cases. Department of Militia and Defence informed of current rate and asked to see that same be paid.	Department of Militia and Defence requests payment of current rates to painters.

TABLE SHOWING NATURE AND RESULTS OF INVESTIGATIONS MADE BY FAIR WAGES OFFICERS DURING THE YEAR—*Continued.*

Date received.	Locality and Public Work.	Department affected.	Subject of Investigation.	Action taken by Department of Labour.	Disposition.
			COMPLAINTS RECEIVED DURING YEAR ENDING JUNE 30, 1904.		
1903.					
July 3...	Quebec, Que. (Post Office).	Public Works.	Claim for 20 cents instead of 15 cents per hour alleged to be due according to schedule rate.	Claim investigated.	Investigation showed that complainant had been wrongfully informed as to rate contractor obliged to pay.
" 14...	London, Ont. (Drill Hall).	"	Contractors alleged to be paying less than schedule rates to painters.	Investigated by Department of Labour and report presented to Department of Public Works.	
Dec. 22...	Ottawa, Ont. (Observatory).	"	Non-payment of schedule rates—Claim of $26.13 as stone cutter.	Claims fully investigated. Reported on to Department of Public Works.	Report of Department of Labour referred to Department of Justice. Opinion of Department of Justice given to the effect that the default of contractor must be determined in the first instance by the ordinary tribunals, before Minister of Public Works would be justified in making payments of any money to claimants
" 22..	" "	"	" Claim of $25.20 as stone cutter.		
" 22...	" "	"	" Claim of $24.64 as stone cutter.		
22...	" "	"	" Claim of $29.07 as stone cutter.		
1904.					
Feb. 18...	" "	"	" Claim of $28 as foreman of masonry.	Claim investigated and reported on to Department of Public Works.	" " "
Mar. 7...	Guelph, Ont. (Post Office).	"	Claim for $13 alleged to be due under Fair Wages Schedule, difference between $1.25 per day and $1.50 per day claimed.	Report made to Department of Public Works.	Claim disallowed by Department of Public Works on ground that $1.25 a fair rate for class of service rendered.
" 23...	Lloydminster, Sask.	Railways and Canals.	Claims for $86.02 and $45.65 respectively, alleged to be due work done in grading Canada Northern Railway.	Report made to Department of Railways and Canals.	Railway at request of department undertook to make good the payment of claims, which had arisen through default of contractor.

IV. THE RAILWAY LABOUR DISPUTES ACT.

ON July 12, 1903, the royal assent was given to the Railway Labour Disputes Bill, introduced during the session in the House of Commons by the Honourable the Minister of Labour, and passed by both Houses.*

The administration of this Act has been entrusted to the Department of Labour, and during the year the department has had much to do with giving to interested parties information concerning the nature of the Act and its provisions. A number of communications have been received at the department not only from persons in Canada, but from other countries, strongly endorsing the principles embodied in the new legislation. The new Act is not a voluntary conciliation measure, nor do its provisions constitute compulsory arbitration. It goes farther than the one, and not as far as the other in the degree to which it compels a reference of industrial differences to an impartial tribunal, and brings the influence of public opinion to bear upon parties to a dispute. In its application the Act is restricted to industrial disputes on railways, though under this head is included electrical, as well as steam roads. Where a difference is threatened, which, in the opinion of the Minister, is likely to occasion a strike or lock-out, and thereby endanger the lives of passengers or persons employed, or interrupt the regular and safe transportation of mails, passengers and freight, or where a strike or lock-out actually exists, the Minister may refer such difference in the first instance to a Committee of Conciliation, and, failing a settlement by this committee, subsequently to a Board of Arbitrators. The Committee of Conciliation and the Board of Arbitrators are alike composed of three persons, two being the chosen representatives of the respective parties to the dispute, and the third person, one agreed upon by the parties to the difference or their representatives, or failing a joint agreement by the parties, an appointee of the government. The work of the Conciliation Committee is a voluntary work, and its powers are limited to the lending of friendly offices with a view to adjusting the difference. The Board of Arbitrators, on the other hand, has power to compel the production of documents, the attendance of witnesses and the taking of evidence under oath. The report is not in the nature of an award, enforceable in the courts, but rather an impartial adjudication carrying with it the sanction of public opinion.

It was contemplated that the existence of such a measure would of itself give to the parties likely to be affected by it a strong reason for settling their differences between themselves, without allowing them to reach a point where the public might be given opportunity of probing into the private or business affairs of either. The success of the measure as a means of preserving industrial peace is to be esti-

* An account was given at page 58 of the Annual Report of the Department of Labour for the year ending June 30, 1903, of the steps leading up to the passing of this Act, and the work of the Department of Labour in connection with the same under the heading 'The Railway Labour Disputes Act.'

mated, therefore, by the absence of any reference under it, quite as much as by the number of cases which may be referred and the awards given.

Although the Act was passed at the beginning of the fiscal year, there has been but one application made throughout the year for a reference of an existing dispute to a committee of conciliation under its provisions, and there have been no strikes or lockouts on any of the railways of the Dominion such as to occasion a reference to the Act within the year. While causes such as general prosperity and abundance of work, have unquestionably operated towards preserving harmonious relations between employers and employees of railway transportation companies, the department has every reason to believe that but for the existence of the Railway Labour Disputes Act, the year would not have passed, without at least one or two serious interruptions to transportation business occasioned by unsettled differences between the two classes in this important industry.

Reference of Dispute between Grand Trunk Railway Company and Telegraphers.

The application for the intervention of the government under the Act, to which reference has been made, was in connection with the dispute between certain of the telegraphers in the employ of the Grand Trunk Railway in Canada, and that company. The beginning of these difficulties dates back to May, 1903, in the latter part of which month a committee of the Order of Railway Telegraphers, representing the lines of the company east of the Detroit and St. Clair rivers applied to their superintendent for a conference.

This request, after an month's negotiations, was refused. Some time later, application was again made for a conference by a general committee representing the whole system, and, though the request was not immediately granted by the manager, a meeting after a lengthy correspondence was arranged to take place on November 4 between the committee for the lines east of Detroit and St. Clair rivers, and the manager of the company. For several days following that date the committee remained in conference with the manager and superintendents in Toronto, and, though no improvements in rules were granted, increases in the wages scale in 267 positions, amounting to $1,012.96 per month, were granted. On November 10, however, the committee refused to accept this proposition and the conference was closed indefinitely. An effort to appeal the matter to the general manager some time after was unsuccessful, and, though correspondence took place between the parties during the winter months, no further conference was obtained.

On April 25, 1904, an appeal was made to the Honourable Sir William Mulock, Minister of Labour, to refer the dispute to arbitration under the Act, it being stated that all efforts at settlement of the differences between the parties themselves had been futile, and, as a consequence, a strike of the company's employees affected was imminent. Before applying the provision of the Act so far as to constitute the committee of conciliation, the Minister sought to arrange for further conferences between the parties and succeeded in bringing about a meeting between the general manager of

the company and a representative of the men on June 1. At this conference it was agreed that Mr. McGuigan, the manager, would meet a committee from the lines east of the rivers, and later a committee from lines west of the rivers, and any matter upon which it was then found impossible to agree were to be submitted to Mr. Hays, general manager. In the conference with the manager which followed and which was extended over six days, it was agreed that all points accepted by the parties were to be subject to final acceptance as a whole. It was shown that the manager had increased 139 salaries since last December, which had not been proposed by the committee, making a total of 495 increases, amounting to $2,048. In addition also increases to 45 persons who received previous increases aggregating $124.50 per month were offered, with 89 new increases, aggregating $241.11 per month. Various improvements in the rules of the schedules were also granted, an agreement being arrived at on 19 points, including increases in the pay for attending lamps, for overtime and for relief agents. It was agreed also by the company to keep platforms clear of snow and to make certain increases in the main line territory.

On three points, however, viz.: the payment for Sunday work, the allowance of an annual vacation without loss of time, and an increase in minimum salaries, no concessions were obtained.

An appeal with regard to these points was made to the general manager in accordance with the arrangement above mentioned, but no further concessions were obtained, the heavy losses of the company, owing to the exceptional severity of the past winter, being urged as a reason why the proposed changes could not be granted.

A settlement of the differences not having been effected as a result of the conferences between the parties brought about by the intervention of the Minister, the application of the telegraphers for reference of the dispute to conciliation and arbitration under the Act was renewed, the telegraphers maintaining that a strike would ensue unless an immediate reference were made.

Being assured of the representations made by the telegraphers as to the probability of an immediate strike, the Honourable the Minister of Labour took steps to constitute the conciliation committee, the first tribunal mentioned in the Act.*

* The conciliation committee, consisting of His Honour Judge Teetzel (chairman), Mr. J. H. Hall and Mr. George F. Shepley, K.C., was appointed during the month of July, and the same committee having been unable to effect a settlement by conciliation was subsequently, by the consent of the parties, constituted a board of arbitration, with the powers given to such Board under the Act.

V. ROYAL COMMISSION TO INVESTIGATE INDUSTRIAL DISPUTES IN THE PROVINCE OF BRITISH COLUMBIA.

AN account was given in the annual report of the department for the fiscal year 1902-3, of the appointment of the Royal Commission to investigate industrial disputes in the province of British Columbia, and of the work of the commission to the close of that year.* Briefly stated, the facts therein set forth are as follows :

The commission was constituted on April 18, 1903, to inquire into the causes of strikes in existence in the province of British Columbia at the time, and into the causes of the numerous industrial disputes which had taken place in that province during the years immediately preceding, and which had had, and were having the effect of seriously affecting the mining and transportation industries of the province. The Honourable Gordon Hunter, Chief Justice of British Columbia, and the Rev. Elliott S. Rowe, were the commissioners appointed. Mr. W. L. Mackenzie King, Deputy Minister of Labour was appointed secretary of the commission, and Mr. Francis W. Giddens, of the Department of Labour, the stenographer. The first sitting of the commission was held at Ladysmith on Monday, May 4, and continuous sittings were held throughout the month of May on Vancouver Island, including the mining towns of Cumberland and Extension, and the city of Victoria. During the first two weeks of June the commission held sittings at the city of Vancouver. During this time 105 different witnesses in all were examined. During the latter half of the month of June the commissioners were engaged in the preparation of their report which was completed on July 8, and forwarded to the Honourable the Minister of Labour on that date.

Notwithstanding that the report of the Commissioners was received at Ottawa early in the month of July, considerable work was occasioned to the department in the preparation of the report and evidence for publication, and in the distribution of these documents when printed. The evidence in its printed form, together with the exhibits and index covered in all 864 pages. To facilitate the work of the Commissioners in preparing their report as rapidly as possible the evidence had been extended in part during the sittings of the Commission, and the weeks immediately following during which the report was being prepared. As there were 1,767 typewritten pages of evidence in all it was possible to extend during that time only those parts of the evidence particularly requested by the Commissioners. The remainder, which was a very considerable part of the whole was extended in the office of the department by the stenographer of the Commission after his return. A carefully prepared index of the evidence was also made by the department, a classification of the evidence being made according to subjects on which testimony was given, the classification being so arranged as to indicate the views, pro and con, of the several witnesses in

* See Report of Department of Labour for the year ending June 30, 1903, p. 55.

regard to the matters of controversy or opinion taken up by the Commission. In addition to extending the evidence and preparing both it and the report for publication, the proof was read both in galley and page form in the department.

Since the report and evidence have been published the department has received from all parts of Canada, from the United States, Great Britain and other countries, requests for copies of these publications, and a large number of copies have been distributed in answer to these requests.

The Commission, during the course of its inquiry sought to obtain from employers and workingmen alike their views in regard to such important questions as causes of strikes and lockouts, the best methods for their prevention and settlement ; the policy of trade unions, their attitude towards employers and non-union workers ; the incorporation of trade unions, the boycott, blacklist, intimidation, compulsory and voluntary arbitration, socialism, the sympathetic strike, employment of Chinese labour, alien labour, compulsory investigation of labour disputes, cost of living, rates of wages and hours of labour, interference of labour leaders of other countries, international and national unions, the union label, labour literature, interference of militia in strikes, profit sharing and the like. The evidence containing as it does a very considerable amount of information in regard to these topics, as well as much information in regard to labour organizations and industrial conditions in British Columbia and the history of the several disputes in that province of recent years, is an invaluable document to students and others interested in the labour question, and the extensive classification of the evidence makes it readily accessible for immediate reference in regard to any of the subjects named. It is quite correct to say that in the Dominion no other publication exists from which is to be obtained a like amount of information bearing directly upon the most important issues connected with the labour problem in the Dominion at the present time.

The report of the Commissioners is also a document of the first importance to all persons interested in the labour question. It has to do mainly with the causes of the important disputes actually in existence at the time the Commissioners held their investigation, but it contains also the opinions of the Commissioners in regard to the more important questions dealt with by the Commission, which were formed as the result of careful and mature deliberation.

There is every reason to believe that the work of the Commission has been of the greatest service to the country as a whole, and particularly beneficial to those engaged in industry in the province of British Columbia. The mere fact that the disputes into which inquiry was made by the Commission were terminated during the course of its sitting or immediately after, and the fact that no industrial dispute of any importance has taken place in the province of British Columbia since the Commission published its report, is evidence sufficient to show that its work has had a salutary effect, and that the disclosures which the report contained have induced greater caution on the part of those who have to do with shaping industrial movements in the province, whilst the mass of workmen themselves have been made more fully acquainted with the true nature of existing conditions.

VI. ROYAL COMMISSION TO INQUIRE INTO EMPLOYMENT OF ALIENS BY THE GRAND TRUNK PACIFIC RAILWAY COMPANY.

ON May 23, 1904, a Royal Commission was issued to His Honour Judge Winchester of Toronto, to inquire into the alleged employment of American aliens in connection with surveys being made by the Grand Trunk Pacific Railway Company. For some time previous, representations had been made to the government by the Dominion Institute of Amalgamated Engineering and others, to the effect that citizens of the United States and non-residents of Canada were being employed by the Grand Trunk Pacific Railway Company to the exclusion of Canadians and British subjects. The department carried on an extensive correspondence with the officers of the company and other parties in regard to these representations, and subsequently, lists of person alleged to be American aliens in the employ of the company were forwarded to the management, with the request for a definite statement as to whether or not the persons therein named were Americans and at what time they had been brought into Canada and given employment in connection with the survey work of the company. Having failed to receive satisfactory replies to some of its communications, and there being important differences of statements between the representations of the Institute of Amalgamated Engineering, and such replies as were received from the company, the Minister of Labour recommended to His Excellency in Council the appointment of a Commission to inquire fully into the facts. In the Commission issued to His Honour Judge Winchester, the Commissioner was directed to ascertain the names, nationality, nature and time of employment, remuneration and actual bona fide place of residence at the time of employment of each of the persons theretofor or at the time employed in connection with the surveys of the proposed Grand Trunk Pacific Railway, and also to ascertain the names of all Canadians or bona fide residents of Canada who had made application for such employment, the nature of the employment applied for, and the result of their applications. The Commissioner was required to report to the Minister of Labour the result of his investigations, together with the evidence taken before him, and any opinions he might see fit to express thereon. Mr. H. M. Mowat, K.C., of Toronto, was appointed counsel to represent the government before the Commission, it being the desire of the government that the inquiry should be as complete and thorough as possible. Mr. G. G. V. Ardouini of the staff of the Department of Labour, was appointed stenographer to report the evidence.

After due notice in the press, His Honour Judge Winchester entered upon the inquiry and proceeded to take evidence under the Commission at Montreal on May 30. After a sitting of three days in Montreal, the Commission proceeded to the west, and sittings were held during the month of June at Winnipeg, Manitoba, Edmonton and Regina, in the North-west Territories, and at North Bay, Ont. About ninety witnesses in all had been examined up to the close of the month, including the general manager and assistant engineer of the Grand Trunk Pacific Railway Company, the divisional, district, office and assistant engineers, and a number of transitmen, draughtsmen,

levellers, topographers and others in the employ of the company. A number of Canadian engineers who had made application to the Grand Trunk Pacific Railway Company for employment, but failed to secure positions, also gave evidence before the Commission. The opinion of leading engineers as to the qualifications and capabilities of Canadian engineers for work in connection with these surveys was also obtained. The Grand Trunk Railway Company was represented by counsel at the several sittings of the Commission. The inquiry was not confined to the examination of witnesses under oath, but included the personal examination by the commissioner and government counsel of letters and documents in the offices of the company in the localities visited.

The Commission had not concluded its sittings at the end of the fiscal year.*

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* Sittings of the commission were held at Ottawa, Kingston, Toronto, and again at Montreal during July and early in August. When the taking of evidence was completed the commissioner contemplated that it might be some time before his report could be forwarded to the Minister of Labour.

VII. THE LIBRARY OF THE DEPARTMENT.

IMPORTANT additions were made to the books of reference and reports in the library of the department during the year. As far as possible, the series of official reports of the United States labour bureaus were made complete, a number of missing volumes being obtained, notably from the Louisiana and New Jersey bureaus.

The labour bureaus and departments of various foreign states and countries continued to exchange publications. Among the government departments from which exchanges were received for the first time, may be mentioned the Bureau of Labour and Industry of Kansas, the Department of Labour and Statistics of Germany, the Central Bureau of Statistics of Holland, the Bureau of Labour of Italy, and the Government Labour Bureau and Relief of Queensland, Australia. Many important publications were received from the government of Great Britain, among which were an almost complete set of the Reports of the Registrar of Friendly Societies from 1855 to the present time, Reports of the Royal Commission on Labour, 1892 to 1894, Reports of the Transvaal Labour Commission, and correspondence relating to the Labour question in South Africa, First Report of the Commissioners on Trade Unions, 1867, First Report of the Royal Commission on Coal Supplies, Vols. II. and III., 1903, and Report for the Select Committee on the Employers' Liability Act (1080) Amendment Bill (1886), issued in 1904.

Among other publications received, there were thirteen Reports of the Proceedings of Annual Conventions of Factory Inspectors of North America, and various pamphlets issued by trade unions and other labour organizations in Canada, Great Britain and the United States.

A number of trade and labour periodicals were added to the list of those received in exchange for the *Labour Gazette*.

Considerable progress was made in the cataloguing of the pamphlets and books in the department, according to the system described in the Annual Report for the year ended June 30, 1903, and the other work connected with the library, was carried out in accordance with the system adopted in the previous year.

A catalogue of government reports, and other publications relating to industrial and labour conditions, and trade and labour journals received at the department during the fiscal year, is published herewith.

CATALOGUE OF REPORTS AND OTHER DOCUMENTS ADDED TO THE LIBRARY OF THE DEPARTMENT OF LABOUR DURING THE YEAR ENDED JUNE 30, 1904.

PART I.—PUBLICATIONS OF LABOUR DEPARTMENTS, AND BUREAUS OF LABOUR STATISTICS.

THE UNITED KINGDOM.

PUBLICATIONS OF THE LABOUR DEPARTMENT BOARD OF TRADE.

(a) Monthly Journal.

The 'Labour Gazette'—the Journal of the Labour Department of the Board of Trade, published monthly :

	Year.
Volume 11, July to December	1903
" 12, January to June	1904

(b) Annual and Special Reports.

Changes in Wages and Hours of Labour in the United Kingdom :

Tenth report on	1902

Strikes and Lock-outs :

Fifteenth report on	1902

Trade Unions :

Fifteenth report on	1902

Factory Inspection :

Annual report of the Chief Inspector of Factories and Workshops for the year 1902. Part II.—Supplement	1904

Prices :

Report on wholesale and retail prices in the United Kingdom in 1902, with comparative statistical tables for a series of years.

Railway Accidents :

General report upon the accidents that have occurred on the railways of the United Kingdom during 1902, Part II	1903
General report upon the accidents that have occurred on the railways of the United Kingdom during 1903	1904
Return during the six months ending June 30	1903
Returns during the nine months ending September 30	1903
Returns during the year ending December 31	1903

Railway Servants (Hours of Labour) : YEAR.

Report by the Board of Trade respecting their proceedings under the Railway Regulations Act, 1893, during the year ended July.. .. 1903

Labour Statistics :

Ninth annual abstract.. 1901-1902

Conciliation :

Fourth report on.. 1901-1903

Boiler Explosions :

Report for the year ended June 30.. 1903

Trade Statistics :

Annual statement of the Trade of the United Kingdom with foreign countries and British possessions 1903, compared with the four preceding years.. 1904

Emigration and Immigration :

Copy of statistical tables relating to emigration and immigration from and into the United Kingdom in the year 1903, and report to the Board of Trade thereon.

Industrial Conditions :

Memoranda, statistical tables and charts prepared in the Board of Trade with reference to British and Foreign Trade and industrial conditions 1904

Workmen's Trains :

Returns showing (1), the number of workmen' trains running on all railways within the metropolitan area ; (2), the distance and the fares charged on each particular train.. 1904

THE UNITED STATES.

THE FEDERAL GOVERNMENT.

PUBLICATIONS OF THE DEPARTMENT OF LABOUR, WASHINGTON, D.C.

(a) Bi-Monthly Journal.

Bulletin of the Department of Labour, Washington :

Volume 8, September and November.. 1903

" 9, January to July.. 1904

(b) Annual Report.

First annual report of the Secretary of Commerce and Labour for.. 1903

Index to Labour Reports for.. 1902

THE STATE GOVERNMENTS.

PUBLICATIONS OF THE STATE BUREAUS OF LABOUR STATISTICS.

	Year.
Connecticut—Bureau of Labour Statistics :	
Nineteenth annual report	1903
Illinois—Bureau of Labour Statistics :	
Twelfth biennial report	1902
Indiana—Department of Statistics :	
Ninth biennial report	1901-1902
Seventh annual report of the Department of Inspection	1903
Iowa—Bureau of Labour Statistics :	
Tenth biennial report	1901-1902
Kansas—Bureau of Labour and Industry :	
First biennial report	1901-1902
Louisiana—Bureau of Statistics of Labour :	
Fifth annual report	1874
Seventh annual report	1876
Tenth annual report	1879
Thirteenth annual report	1882
Report for the years	1902-1903
Maine—Bureau of Industrial and Labour Statistics :	
Annual Reports.	
Seventeenth annual report	1903
Conciliation and Arbitration :	
Eighteenth annual report of the State Board	1903
Maryland—Bureau of Statistics and Information :	
Twelfth annual report	1903
Massachusetts—Bureau of Statistics of Labour :	
(a) Monthly Journal.	
Labour Bulletin of the Commonwealth of Massachusetts :	
Nos. 27 to 30, August, 1903, to May	1904
(b) Annual and Special Reports.	
Annual Report.	
Thirty-third annual report for	1902
Free Employment Offices.	
Free Employment Offices in the United States and Foreign Countries (from annual report)	1904

	Year.
Manufactures :	
Statistics of manufactures—Massachusetts	1902
Report *re* Industrial Chronology (from annual report)	1903
Wages :	
Mercantile wages and salaries (from annual report)	1903
State Society of Labour and Industry.	
Proceedings of the Sixth Annual Convention	1904
Report of the Legislative Committee for the year	1903
Michigan—Bureau of Labour and Industrial Statistics :	
Annual Reports.	
Twenty-first annual report (with eleventh report on Factory Inspection)	1904
Inspection of Factories :	
Eleventh annual report (as appendix to twenty-first annual report of Bureau)	1904
Missouri—Bureau of Labour Statistics :	
Annual Report.	
Twenty-fifth annual report	1903
New Jersey—Bureau of Statistics of Labour and Industries :	
Annual Reports.	
Third annual report	1880
Eighth annual report	1885
Ninth annual report	1886
Tenth annual report	1887
Eleventh annual report	1888
Twelfth annual report	1889
Fourteenth annual report	1890
Fifteenth annual report	1892
Seventeenth annual report	1894
Eighteenth annual report	1895
Nineteenth annual report	1896
Twentieth annual report	1897
Twenty-fourth annual report	1901
Twenty-sixth annual report	1903
New York—Department of Labour :	
Quarterly Journal :	
New York Labour Bulletin (quarterly), Nos. 17 to 20, inclusive—June, 1903, to March	1904
Annual Reports.	
Summary of Seventh annual report on Mediation and Arbitration for the year ended September 30	1903
Summary of strikes and lockouts in	1903
Ohio—Bureau of Labour Statistics :	
Annual Report.	
Twenty-seventh annual report	1903

Rhode Island—Bureau of Industrial Statistics : YEAR.

Annual Report.

Sixteenth annual report 1902

West Virginia—Bureau of Labour :

Biennial Report.

Fifth biennial report 1897-1898

AUSTRIA.

Die Arbeitseinstellungen und Aussperrungen in Oesterreich, während des Jahres 1902
Sociale Rundschau, 4 Jahrgang, Nos. 7 to 12 1903
" 5 " Nos. 1 to 6 1904
Protokoll der vierzehnten Sitzung des Arbeitsbeirathes, June 1903
" funfzehnten Sitzung des Arbeitsbeirathes 1903
" sechzehnten Sitzung des Arbeitsbeirathes, December..... 1903
Die Lege der Wächter der K.K. Staatsbehner 1903
Arbeitszeit-Verlängerungen (überstunden) im Jahre 1903, in Fabriksmässigen Betreiben 1904
Arbeitszeit-Verlängerungen (überstunden) im Jahre 1903, in Fabriksmässigen Betreiben 1904
Bericht über die Tätigkeit des K.K. Arbeitsstatischen Amtes im Han-
" siebzehnten sitzung des Arbeits beirathes, January.... 1904

BELGIUM.

PUBLICATIONS OF L'OFFICE DU TRAVAIL.

(a) Monthly Journal.

Revue du Travail (August to December) 1903
" (January to June) 1904

(b) Annual and Special Reports.

Annuaire de la législation du travail 1903
Rapport annuel de l'Inspection du Travail 1903
Rapport Général sur la Situation de l'enseignment Technique en Belgique, 1897-1901, Tomes I.-II. 1904

FRANCE.

PUBLICATIONS OF THE MINISTERE DE L'INDUSTRIE ET DU TRAVAIL.

(a) Monthly Journal.

Bulletin de l'*Office du Travail* (Nos. 7 to 12) 1903
" " (Nos. 1 to 6) 1904

(b) Annual and Special Reports.

Annuaire Statistique, Vingt-deuxième volume 1902
Statistique annuelle des institutions d'assistance, année 1901

YEAR.

Statistique des grèves et des recours à conciliation èt à l'arbitrage pendant l'année 1902
Statistique annuelle du movement de la population, année 1902

Special Report.

L'Industrie du Chiffon à Paris 1903

GERMANY.

Beitrage zur Arbeiterstatistik No. 1—Die Fortschritte der Amtlichen Arbeiter statistik in der Wichtigsten Staaten. **1904**
Protokolle über die Verhandlung des Beirats für Arbeiterstatistik. . . . 1903
Erhebung über die Arbeitszeit der Behülfen und Lehrlunge im Fleischergewerbe 1903
Erheburg über die Arbeitszeit in gewerblichen Furwerksbetrieben 1904
Protokolle über die Verhandlungen des Beirats für Arbeiterstatistik.
Die Fortschritte der amtlichen Arbeitsstatistik in der wrichtigsten Staaten. Erster Tiel 1904

HOLLAND.

PUBLICATIONS OF THE "CENTRAAL BUREAU VOOR DE STATISTICK."

Maandcijfers en andere Periodieke Opgaven betreffende Nederlande en Nederlandsch Oost-Indië.
No. 1, 1898 ; No. 2, 1899 ; No. 3, 1899 ; No. 4, 1900 ; No. 5, 1900 ; No. 6, 1901 ; No. 7, 1902.
Vaarcijfers voor het Konigkrijk der Nederlanden-Kolonien 1900
Vaarcijfers voor het Rijk in Europe 1901
Werkstakingen en Uitsluitengen in Nederland gedurende 1901
Werkstakingen en Uitsluitengen in Nederland gedurende 1903
Tijdschrift van het Centraal Bureau voor de Statistick. 1903
Bijdragen tot de statistick van Nederland, vols. VII, VII, IX, X, XIV, XVI, XVII, XVIII, XIX, XXIII, XXIV, XXV. 1900, 1901
Eenige Hoofdstukken uit het "Aperçu sur la Hollande par M. D'Alphonse."

ITALY.

PUBLICATIONS OF THE OFFICIO DEL HAVORO.

Atti del consiglio superiore del Lavaro. Ze sessione ordinaria dell' anno. 1903

NEW SOUTH WALES.

Annual Reports.

Department of Labour and Industry :

Annual Report of Labour Commissioners for the year ended June 30. . 1903

Industrial Arbitration Reports and Records :

Vol. I. 1902
Vol. II. 1903
Vol. III, Part 1. 1904
Report on the working of the Factories and Shops Act, &c., during. . 1902

QUEENSLAND.

Annual Reports.

Government Labour Bureau and Relief :

	Year.
Report of the Officer in Charge for	1902

WESTERN AUSTRALIA.

Annual Report.

Government Labour Bureau :

Fifth annual report by the Superintendent for	1902
Sixth annual report by the Superintendent for	1903

NEW ZEALAND.

Department of Labour :

(*a*) *Monthly Journal.*

Journal of the Department of Labour, Vol. 12 (from July to Dec.)	1903
" " Vol. 13 (from Jan. to June)	1904

(*b*) *Annual Report.*

Twelfth annual report from April, 1902 to March, 1903	1903

PROVINCIAL GOVERNMENT.

Ontario, Bureau of Labour :

Annual Report.

Fourth annual report of the Bureau of Labour for the year ending December 31	1903

PART II.—OTHER PUBLICATIONS RELATING TO LABOUR.

(Excepting Trade and Labour Journals.)

CANADA.

I.—GOVERNMENT PUBLICATIONS.

(a) Publications of the Dominion Government.

	Year.
Canadian Forestry Association :	
Report of the fourth annual meeting, Ottawa, March	1903
Other Miscellaneous Government Publications :	
Fifth Annual Report of the Geographic Board of Canada, for the year ending June 30	1903
Abstract of Statement of Insurance Companies in Canada for the year ended December 31	1903
Reports of Dividends remaining unpaid	1903
Unclaimed Balances and Unpaid Drafts and Bills of Exchange in Chartered Banks of the Dominion of Canada, for five years and upwards prior to December 31	1903
Report of the Royal Commission in *re* the Tobacco Trade of Canada	1903
Report of the Royal Commission on Labour Troubles in British Columbia	1903
Irrigation in the North-west Territories	1902
Census of Canada, Vol. I.	1901
Report on the Location and Examination of Magnetic Ore Deposits by Magnometric Measurements, by Eugene Haanel	1904
Dictionary of Altitudes of Canada	1904
Special Report on the Government Telegraph Service	1904
Canadian Patent Office Record, July, 1903, to June	1904
Special Report regarding the growth of Trade and Material Industries of Canada	1903
Reports and other blue-book publications of the several Departments of the Dominion Government for the year ended June 30	1903

(b) Publications of Provincial Governments.

Nova Scotia :	
Debates and Proceedings of the House of Assembly	1904
Debates and Proceedings of the Legislative Council	1904
Annual Report of the Department of Mines for	1903
New Brunswick :	
Annual report of the Commissioner of Agriculture for	1903
Quebec :	
Report of the Commission of Colonization and Public Works, containing reports of Inspectors of Factories and Industrial Establishments	1903

Ontario :

	Year.
Sixteenth annual report of the Inspector of Factories	1903
Report of the Department of Agriculture for	1901
Annual reports of the Dairymen's Associations for	1903
Twenty-ninth annual report of the Ontario Agricultural College and Experimental Farm for	1903
Annual Report of the Bee-Keepers' Association for	1903
Thirty-fourth annual report of the Entomological Society	1903
Tenth annual report of the Fruit Experiment Stations of Ontario for	1903
Annual Archæological report for	1903
Report of the Inspection of Liquor Licenses for	1903
First Annual report of the Bureau of Archives for	1903
Thirty-fourth annual report of the Fruit Growers' Association for	1902
Ninth Annual report of the Fruit Experiment Stations of Ontario for	1902
Loan Corporations' Statements for	1902
Provisions relating to Terminating Shares in Loan Corporations to take effect on 10th September, 1903	1903
Municipal Trading and Municipal Ownership or Operation of Public Utilities	1904
Ontario Public Health Act, Regulations as to smallpox, diphtheria and scarlet fever, also an Act respecting sanitary regulations in unorganized Territories	1904
Annual Report of Ontario Fairs and Exhibitions for	1903
Report of the Provincial Municipal Auditor for	1903
Annual Reports of the Live Stock Associations for Ontario for	1902
Report of the Inspector of Registry Offices for	1902
Report of the Bureau of Industries for	1902
Reports of the Farmers' Institutes of Ontario for	1902-1903
Report of the Eighteenth Annual Meeting of the Association of Executive Health Officers of Ontario	1903
Public Accounts for	1903
Estimates of the Province of Ontario for the year ending December 31, 1904	1903
Report of the Inspector of Division Courts for	1903
Fifth annual report of the Department of Fisheries for	1903
Report of the Commissioner of Public Works for	1903
Report of the Commissioner of Crown Lands for	1903
Report of the Ontario Game Commission for	1903
Eighteenth annual report of the Commissioners for the Queen Victoria Niagara Falls Park for	1903
Second annual report of the Temiscaming and Northern Ontario Railway Commission, to December 31	1903
Report of the Minister of Education, Part I (with the statistics of 1901) for	1903
Thirty-second annual report upon the Ontario Institution for the Education of the Blind, Brantford, for	1903
Thirty-third annual report upon the Ontario Institution for the Education of the Deaf and Dumb, Belleville	1903
Thirty-fourth annual report of the inspector of Prisons and Public Charities upon the Hospitals and Charities, &c., of the province of Ontario, for the year ending September 30	1903
Thirty-sixth annual report of the Inspector of Prisons and Public Charities upon the Lunatic and Idiot Asylums of the province of Ontario, for the year ending September 30	1903

Ontario—*Continued.* YEAR.

Thirty-sixth annual report of the Inspector of Prisons and Reformatories, for the year ending September 30 1903
Eleventh report of the Superintendent of Neglected and Dependent Children for 1903
Annual report of the Provincial Board of Health, for the year 1903
Report relating to the Registration of Births, Marriages and Deaths, for the year ending December 31 1902
Report of the Bureau of Mines for 1902
Report of the Inspector of Insurance and Friendly Societies, for the year 1902

North-west Territories :

Report of the Territorial Secretary 1903

British Columbia :

Annual report of the Minister of Mines for 1903
Year-book of British Columbia 1903

II.—OTHER CANADIAN PUBLICATIONS.

Publications containing Statistical and Descriptive Information concerning Resources, and Industrial, Commercial and Labour Conditions in Canada :

Canadian Almanac 1904
Sixth Canadian Conference of Charities and Correction, Ottawa, Sept. and October 1903
Third annual year-book of the Charity Organization Society of Montreal 1902-1903
Thirty-ninth annual report of the Orphans' Home of the city of Ottawa 1902-1903

Board of Trade Reports :

Seventeenth annual report of the Vancouver Board of Trade 1903-1904
Twenty-fourth annual report of the Victoria Board of Trade 1903

Publications of Trade Unions and other Labour Organizations :

Montreal Street Railway Mutual Benefit Association, Rules and By-laws 1903
Constitution of the National Trades and Labour Congress of Canada, adopted September 19, 1902 1903
Report of the Officers of the Nineteenth annual session of the Trades and Labour Congress of Canada, Brockville, September 1902
Labour Union Directory, Hamilton 1904

THE UNITED KINGDOM.

I.—GOVERNMENT PUBLICATIONS.

Publications of the Home Office :

Mines and Quarries : General report and statistics for 1902
Part I.—District Statistics.
Part II.—Labour.
Part III.—Output.
Part IV.—Colonial and Foreign Statistics.

Publications of the Home Office—*Continued.* YEAR.

Reports of Inspectors of Mines for 1902
Factories and Workshops : Report of Chief Inspector for 1902
Part II.—Supplement.
Thirty-ninth annual report on Alkali, &c., works by the Chief Inspector. Proceedings during the year 1902
Report on the Draft Regulations proposed to be made for factories and workshops in which the process of file-cutting by hand is carried on 1902
Statistics of proceedings under the Workmen's Compensation Act, 1897 and 1900, and the Employers Liability Act, 1880, during the year 1902
Report on an explosion in a mixing house at Factory No. 38, Kent . . 1904
Return of the cases of lead poisoning reported as occurring in earthenware and china works during the years . . . . . 1899 to 1903
Reports of the outbreak of Ankylostomiesis in Germany 1903

Reports of the Registrar of Friendly Societies :

First annual report for 1855
Second annual report for 1856
Third annual report for 1857
Fifth annual report for 1859
Sixth annual report for 1860
Seventh annual report for 1861
Eighth annual report for 1862
Ninth annual report for 1863
Tenth annual report for 1864
Eleventh annual report for 1865
Twelfth annual report for 1866
Thirteenth annual report for 1867
Fourteenth annual report for 1868
Sixteenth annual report for 1870
Seventeenth annual report for 1871
Eighteenth annual report for 1872
Nineteenth annual report for 1873
Twentieth annual report for 1874
Twenty-first annual report for 1875
Twenty-third annual report for 1877
Twenty-sixth annual report for 1880
Twenty-seventh annual report for 1881
Twenty-eighth annual report for 1882
Twenty-ninth annual report for 1883
Thirtieth annual report for 1884
Thirty-first annual report for 1885
Thirty-second annual report for 1886
Thirty-third annual report for 1887
Thirty-fourth annual report for 1888
Thirty-fifth annual report for 1889
Thirty-sixth annual report for 1890
Thirty-seventh annual report for 1891
Thirty-eighth annual report for 1892
Thirty-ninth annual report for 1893
Fortieth annual report for 1894
Forty-first annual report for 1895
Forty-second annual report for 1896
Forty-third annual report for 1897

Reports of the Registrar of Friendly Societies—*Continued.* YEAR.

Forty-fourth annual report for 1898
Forty-fifth annual report for 1899
Forty-sixth annual report for 1900
Forty-seventh annual report for 1901
Forty-eighth annual report for 1902

Publications of the Commercial Department of the Board of Trade :

The Board of Trade Journal, published weekly, February to June 1904
Bulletin of the Imperial Institute. (Issued as a quarterly supplement to the Board of Trade Journal.) Vol. II, Nos. 1, 2, March, June . . 1904

Other Publications :

First Report of the Royal Commission on Coal Supplies, Vols. II.-III. . 1903
First Report of the Commissioners appointed to inquire into the Organization and Rules of Trade Unions and Other Associations . . 1867
Report of the Royal Commission on Alien Immigration, with Minutes of Evidence and Appendix, Vol. I.—Report 1903
Irish Land Commission : Return of Proceedings during the month of September 1903
Reports of the Transvaal Labour Commission 1904
Correspondence respecting the Introduction of Chinese Labour into the Transvaal 1904
Correspondence relating to the recruitment of labour in the British Central African Protectorate for employment in the Transvaal . . .
Return of Ordinances in force in Self-Governing Colonies respecting the importation therein of Indentured Coolie labour from India or elsewhere . . . . . .
Report from the Select Committee of the House of Lords on Town Improvement (Betterment) together with the Proceedings of the Committee, Minutes of Evidence and Appendix 1894

Royal Commission on Labour :

First, Second, Third, Fourth and Fifth Reports 1892-1894
Foreign Reports, Vol. IX., Denmark, Sweden and Norway, Spain and Portugal 1894
Report from the Select Committee on the Employer's Liability Act (1880) Amendment Bill, 1886 1904
Trade of Germany for the Year 1903. Diplomatic and Consular Reports, Foreign Office, May 1904
Report on Slavery and Free Labour in British East Africa Protectorate. 1903
Report from the Select Committee on Workmen's Trains 1903
Report on Irish Migratory Labourers 1903

II.—OTHER PUBLICATIONS.

Publications of Trade Unions and other Labour Organizations :

General Federation of Trade Unions.

Fourth Annual report 1903
Seventeenth Quarterly report, Sept 1903
Nineteenth Quarterly report, March 1904

THE UNITED STATES.

I.—GOVERNMENT PUBLICATIONS.

(a) The Federal Government.

	Year.
Year-book of the Department of Agriculture for	1902
Nineteenth Annual Report of the Bureau of Animal Industry, Department of Agriculture, for	1902
Report of the Secretary of Agriculture	1903
Fourth Report of the Field Operations of the Bureau of Soils, Department of Agriculture, for	1902
Bulletins of the Department of Agriculture	1903-1904
Crop Reporter, Published monthly by authority of the Secretary of Agriculture, July to December	1903
January to June	1904

(b) The State Governments.

Connecticut:

Report of the State Librarian for the two years ended September 30, 1901-1902

Indiana:

Seventh Annual Report of the Department of Inspection 1903

Massachusetts:

Report of the Commission appointed to Investigate the Existing Systems of Manual Training and Industrial Education 1893

New York:

State Board of Charities—Thirty-sixth annual report, Vols. I., II., III.	1902
State Library—Review of Legislation	1903
Tenement House Committee—Report	1894

Proceedings of Annual Conventions of Factory Inspectors of North America :

Fourth Convention	1890
Fifth Convention	1891
Sixth Convention	1892
Seventh Convention	1893
Eighth Convention	1894
Ninth Convention	1895
Eleventh Convention	1897
Twelfth Convention	1898
Thirteenth Convention	1899
Fourteenth Convention	1900
Fifteenth Convention	1901
Sixteenth Convention	1902
Seventeenth Convention	1903

Other Publications :

Eighth annual convention of the National Association of Manufactures of the United States of America, annual report of the President and Proceedings	1903

FRANCE.

Publications of Le Musée Social : YEAR.

Annales, Revues mensuelles, Nos. 6 to 12, 1903, Nos. 1 to 5 1904
Mémoires et Documents, supplément aux annales, Nos. 6 to 12, 1903, Nos. 1 to 5 1904

RUSSIA.

Publications of Le Société Impériale libre économique :

Aperçus Historique des Travaux de la Société Impériale libre Economique depuis sa fondation 1897
Travaux de la Société Impériale libre Economique . . . 1899, 1900, 1902, 1903
Mémoire sur la Production Agricole de la Russie 1887
Du Concours des Sociétés Scientifiques des Zemstrios et des Administrations Urbaines aux Travaux Statistiques en Russie.

SWITZERLAND.

Publications of the International Labour Office, Bâsle :

Bulletin de l'Office International du travail, 2ème année, Nos. 6 to 12; 3ème année, Nos. 1 to 6 1903-1904
Memorial explanatory of the reasons for an International Prohibition of Nightwork for Women 1904

PART III.—TRADE AND LABOUR JOURNALS.

YEAR.

Advance Advocate. Official organ of the International Brotherhood of Maintenance of Way Employees. Vol. XII, Nos. 7 to 12, July to December 1903

American Federationist. Vol. X, Nos. 7 to 12, July to Dec., 1903; Vol. XI, 1 to 6, January to June 1904

American Industries. Vols. I and II, July, 1903, to June 1904

Blacksmith's Journal. Vol. IV, Nos. 7 to 12, July to Dec., 1903; Vol. V, Nos. 1 to 6, January to June 1904

Boilermakers' and Shipbuilders' Journal. Vol. XV 1903

Bookbinder, International. Vol. IV, Nos. 7 to 12, July to Dec., 1903; Vol. V, Nos. 1 to 6, January to June 1904

Bookseller and Stationer. Vol. XIX, Nos. 11 and 12, 1903 ; Vol. XX, Nos. 1 to 6, January to June 1904

Bricklayer and Mason. Vol. VI, Nos. 7 to 12, July to Dec., 1903; Vol. VII, Nos. 1 to 6, January to June 1904

Broom Maker. Vols. IV and V, July, 1903, to June 1904

Bulletin of the National Metal Trades Association, Jan. to June.. 1904

Bulletin Mensuel, publié par La Chambre de Commerce Française de Montréal, Nos. 120 to 131, July to June 1904

Canada Lumberman. Vol. XXIII, Nos. 7 to 12, July to Dec., 1903; Vol. XXIV, Nos. 1 to 6, January to June 1904

Canadian Architect and Builder. Vol. XVI, Nos. 7 to 12, July to December, 1903; Vol. XVI, Nos. 1 to 6, January to June 1904

Canadian Dry Goods Review, Vol. XVII, No. 11, to Vol. XIV, No. 6, Nov., 1903, to June 1904

Canadian Electrical News. Vol. XIII, Nos. 7 to 12, July to Dec., 1903; Vol. XIV, Nos. 1 to 6, January to June, ... 1904

Canadian Engineer. Vol. XI, Nos. 1 to 6, January to June 1904

Canadian Grocer. Vol. XVIII, November, 1903, to June..... 1904

Canadian Contract Record. Vol. XV, Nos. 1 to 31, January to June, ... 1904

Canadian Journal of Commerce. Vol. LVII, July to December, 1903 ; Vol. LVIII, January to June..... 1904

Canadian Journal of Fabrics. Vol. XX, Nos. 7 to 12, July to Dec., 1903 ; Vol. XXI, Nos. 1 to 6, January to June 1904

Canadian Manufacturer. Vols. XLVIII and XLIX, July, 1903, to June 1904

Canadian Mining Review. Vol. XXII, Nos. 7 to 12, July to Dec., 1903 ; Vol. XXIII, Nos. 1 to 6, January to June..... 1904

Carpenter, The. Vol. XXIII, Nos. 7 to 12, July to December, 1903; Vol. XXIV, Nos. 1 to 6, January to June 1904

Cigar Makers' Official Journal. Vol. XXVIII, July, 1903, to June. 1904

Coast Seamen's Journal. Vols. XVI and XVII, July, 1903, to June 1904

Coopers' International Journal, Vol. XII, Nos. 7 to 12, July to December, 1903; Vol. XIII, Nos. 1 to 6, January to June 1904

Dun's Review. Vol. XII, Nos. 513 to 569, July, 1903, to June .. 1904

	YEAR.
Electrical Worker, Vol. III, No. 9, to Vol. IV, No. 8, July, 1903, to June	1904
Granite Cutters' Journal. Vols. XXVII and XXVIII, July, 1903, to June	1904
Hardware and Metal. Vols. XV and XVI, November, 1903, to June	1904
Horseshoers' Monthly Magazine. Vol. IV, Nos 7 to 12, Vol. V., Nos. 1 to 6, July, 1903, to June	1904
Industrial Canada. Vol. IV	1903-1904
Industrial Review. Vol. II, No. 21, to Vol. IV, No. 2, April, 1903, to June	1904
Iron Moulders' Journal. Vol. XXXIX., Nos. 7 to 12, July to Dec., 1903; Vol. XL, Nos. 1 to 6, January to June	1904
Journal des Correspondences, Organe Official des Syndicats du Parti Ouvrier Belge, 1er anné, July, 1903, to June	1904
Lather, The. Vol. III, Nos. 7 to 12, July to Dec., 1903; Vol. IV, Nos. 1 to 6, January to June	1904
Locomotive Engineers' Journal. Vol. XXXVII, Nos. 7 to 12, July to December, 1903; Vol. XXXVIII, Nos. 1 to 6, January to June	1904
Locomotive Firemen's Magazine. Vols. XXXV and XXXVI, July 1903, to June,	1904
Maritime Mining Record. April, 1903, to June	1904
Machinists' Monthly Journal. Vol. XV, Nos. 7 to 12, July to Dec., 1903; Vol. XVI, Nos. 1 to 6, January to June	1904
Marine Review. Vol. XXIX, January to June	1904
Meat Cutters' (Amalgamated) and Butcher Workmen's Journal. July, 1903, to June	1904
Monetary Times and Trade Review. January to June	1904
Miners' Magazine. January to June	1904
Mixer and Server. Vol. XII, Nos. 7 to 12, July to Dec., 1903; Vol. XIII, Nos. 1 to 6, January to June	1904
Motorman and Conductor. Vol. XI, No. 5, to Vol. XII, No. 4, July, 1903, to June	1904
National Builder. Vols. XXXVII and XXXVIII, July, 1903, to June	1904
Oil Workers' Journal. Vol. IV. July, 1903, to June	1904
Pacific Lumber Trade Journal. Vol. IX, Nos. 3 to 12, Vol. X, Nos. 1 and 2, July, 1903, to June	1904
Painters', Decorators' and Paperhangers' Journal. Vol. XVII, Nos. 7 to 12, Vol. XVIII, Nos. 1 to 6, July, 1903, to June	1904
Pattern Makers' Journal. Vol. XII, Nos. 7 to 12, Vol. XIII, Nos. 1 to 6, July, 1903, to June	1904
Piano and Organ Workers' Journal. Vol. V, Nos. 7 to 12, Vol VI, Nos. 1 to 6, July, 1903, to June	1904
Printer and Publisher. Vol. XII, Nos. 11 and 12, Vol. XIII, Nos. 1 to 6, November, 1903, to June	1904
Railroad Freight and Baggageman. Vol. I, Nos. 2 to 10, October, 1903 to June	1904
Railroad Telegrapher. Vol. XX, Nos. 7 to 12, Vol. XXI, Nos. 1 to 6, July, 1903 to June	1904
Railroad Trainmen's Journal. Vol. XX, 7 to 12, Vol. XXI, Nos. 1 to 6, July, 1903 to June	1904
Railway and Locomotive Engineering. Vol. XVI, Nos. 7 to 12, Vol. XVII, Nos. 1 to 6, July, 1903 to June	1904

	Year.
Railway and Shipping World, July, 1903 to June	1904
Railway Carmen's Journal, Vol. VIII, Nos. 7 to 12, Vol. IX, Nos. 1 to 6, July, 1903 to June	1904
Railway Conductor, Vol. XX, Nos. 7 to 12, XXI, Nos. 1 to 6, July, 1903 to June	1904
Shoe and Leather Journal, Vol. XVII, Nos. 3 to 6, March to June	1904
Shoe Workers' Journal. Vol. IV, Nos. 7 to 12, Vol. V, Nos. 1 to 6, July, 1903 to June	1904
Stationary Fireman's Journal, Vol. V	1903-1904
Stove Mounters' Journal. Vol. VIII, Nos. 7 to 12, Vol. IX Nos. 1 to 6, July, 1903 to June	1904
Switchman's Union Journal, Vol. V, Nos. 9 to 12, Vol. VI, Nos. 1 to 8, July, 1903 to June	1904
Tailor, The. Vol. XIV	1903-1904
Tobacco Worker, Vol. VII, Nos. 7 to 12, Vol. VIII, Nos. 1 to 6, July, 1903 to June	1904
Union Labour Advocate. Vol. III, Nos. 11 and 12, Vol. IV, Nos. 1 to 10, July, 1903 to June	1904

OTHER PERIODICALS.

ECONOMIC ASSOCIATION PUBLICATIONS.

Annals of the American Academy of Political and Social Science, Vols XXII, XXIII, July, 1903 to June	1904
Charities, Vols. XI, XII, July, 1903 to June	1904
Economic Review, Vol. XIII, Nos. 3 and 4, Vol. XIV, Nos. 1 and 2	1903-1904
Factory Inspector, The. Vol. I, 1902-1903, Vol. II, Nos. 1 and 2, January, April	1904
Journal of Political Economy, Vol. XI, No. 4 to Vol. XII, No. 3	1903-1904
National Civic Federation, Vol. I, Nos. 3 and 4, Sept. 1903, June	1904
Outlook, The. July, 1903 to June	1904
Quarterly Journal of Economics, Vol. XVIII	1903-1904
Political Science, Quarterly, Vol. XVIII	1903
Quarterly Review	1903-1904
Social Service, Vol. VIII	1904
Royal Statistical Society, Journal of. Vol. LXVI, Parts 2, 3, 4, Vol. LXVII, Parts 1, 2	1903-1904

VIII. CORRESPONDENCE AND OTHER DEPARTMENTAL WORK.

AN increasingly important part of the work of the department has been the supplying of information to public bodies, societies and individuals in Canada and different parts of the world in regard to industrial conditions in this country, and on subjects having to do with the condition of labour and phases of the labour question in Canada.

As the existence and work of the department have become better known, the number of requests for information has steadily increased, and wherever possible detailed replies have been made to these requests. In many cases the answering of communications has necessitated a special investigation, or a considerable amount of correspondence and no little research. In other cases, for example, requests for information as to the nature of existing labour legislation in regard to certain classes of labour, or information as to the number and causes of strikes and lock-outs, &c., &c., the department has been able to refer its correspondents to articles in the *Labour Gazette*. In instances where the department has not been able from the nature of the requests received to furnish the information desired, it has been the means of directing the parties to the proper sources.

The following taken from among the requests for information received at the department during the year may serve to indicate the variety of subjects on which information has been sought, and some of the sources from which these requests have come.

A.—REQUESTS FROM GOVERNMENTS OR GOVERNMENT OFFICES IN GREAT BRITAIN, BRITISH COLONIES AND FOREIGN COUNTRIES.

Department of Agricultural Industry and Commerce, Rome, Italy.—Information as to laws in Canada relating to labour contracts and apprenticeship, &c.

The Department of State, St. Petersburg, Russia.—Information concerning the Department of Labour, Canadian labour laws, labour publications, &c

Consul General for Denmark.—Information regarding rates of wages of employees in certain classes of industry, Canada.

State Departments in Australia and New Zealand.—Information as to opportunities of employment and conditions of certain industries in Canada.

Consul General of the Netherlands.—Information regarding employment in the Yukon.

Office of the High Commissioner for Canada, London, England.—Information as to labour laws, and trade unions in Canada.

Emigrants Information Office, Westminster, London, England.—Information as to extent of employment of females in factories in Canada, wages, cost of living, &c.

Attorney General of Newfoundland.—Information regarding the Department of Labour and labour legislation in Canada.

University of Paris, France.—Information regarding the labour organizations in Canada, workingmen's societies, &c.

International Labour Office, Basle, Switzerland.—Information concerning labour legislation in Canada, cost of living in Canada, &c.

Secretary of Employers' Federation, New South Wales.—Information as to industrial conditions in Canada.

Consul General for Italy.—Information as to labour organizations in Canada.

The United States Interstate Commerce Commission.—Information regarding labour commissions in Canada.

Members of the United States House of Representatives and Senate—Information regarding the Railway Labour Disputes Act in Canada.

Department of Commerce and Labour, Washington, U.S.—Information regarding publications relating to labour in Canada.

State of Iowa Bureau of Labour Statistics.—Information regarding wages in certain industries in Canada.

State of Ohio Bureau of Labour Statistics.—Information as to schedule forms, &c., used in collecting industrial statistics.

Commonwealth of Massachusetts Bureau of Labour Statistics.—Information as to the boot and shoe industry in Canada.

Bureau of Statistics of New Jersey.—Information as to labour laws in Canada, factory inspection and child labour.

B.—BEQUESTS FROM PUBLIC BODIES, SOCIETIES AND ORGANIZATIONS.

Departments of Provincial Governments in Canada.—Information regarding a variety of subjects relating to labour conditions in different parts of the Dominion.

City Club of Chicago.—Information regarding publications relating to labour in Canada.

Ontario Department of Archives, Toronto.—Information relating to labour publications in Canada.

Colony Settlers' Association and Consulting Agencies, Edinburgh, Scotland.—Information regarding industrial disputes in Canada and conditions of labour in particular localities.

Passenger, Tourist and Shipping Agencies, Edinburgh, Scotland.—Information regarding condition of labour in certain factories in Canada.

International Headquarters, Salvation Army, London, England.—Information regarding cost of living, wages and employment of female labour in Canada.

National Union of Women Workers in Great Britain and Ireland.—Information living, wages and employment of female labour in Canada.

Women's Industrial Council, London, England.—Information regarding cost of living, wages and employment of female labour in Canada.

Office of the High Commissioner of Emigration for Canada.—Information regarding labour statistics, &c.

National Association of Manufacturers of the United States.—Information with regard to industrial conditions in British Columbia and labour publications in Canada.

Chicago Journal.—Information as to wages in the building trades, Canada, joint agreements, &c.

United Brotherhood of Carpenters and Joiners.—Information regarding hours of labour in Canada.

National Brotherhood of Leather Workers on Horse Goods.—Information as to methods of manufacturing leather goods.

Iron Moulders' Union, Hamilton.—Information as to the conditions in the stove trade in Canada.

Painters' and Decorators' Union, Vancouver, B.C.—Information regarding bills presented to parliament affecting labour.

Brotherhood of Railway Expressmen.—Information regarding Conciliation and Arbitration Boards.

International Union of Brewery Workers.—Information regarding power of excise officers.

The Shirt Waist and Laundry Workers' Union, Montreal.—Information as to laundry workers in other parts of Canada.

National Association of Marine Engineers of Canada.—Information regarding legislation with regard to hours of labour.

Trades and Labour Council, Guelph, Ont.—List of labour organizations and secretaries of, in Canada.

Boot and Shoe Workers' Union, Guelph.—List of labour organizations and secretaries of.

Trades and Labour Council, Berlin, Ont.—List of labour organizations and secretaries of.

Tobacco Workers Union, Hamilton, Ont.—List of labour organizations, and secretaries of.

Federated Metal Trades Council, Toronto.—Information regarding Bills affecting labour.

Brotherhood of Railroad Trainmen.—Information regarding cost of maintenance of railways.

Restaurant Employees' Alliance.—Statistics as to bartenders, cooks, waiters, &c.

Trades and Labour Council, Smith's Falls, Ont.—Information regarding opportunities of employment for farm hands in North-west Territories.

Library Bureau of Canada.—Information regarding employers' liability.

'Canadian Lumbermen,' Toronto.—Information as to wages in the lumbering industry in Canada.

Municipality of the Town of Prince Albert.—Information regarding strikes in Canada.

Sydenham Glass Company, Wallaceburg.—Information as to location of industries in Canada.

Western Foundry Company.—Information regarding apprenticeship indentures and agreements between employers and employees.

Brandon Binder Twine Company.—Information regarding co-operative trading in England.

Canada Life Insurance Company, Actuaries Department.—Information regarding industrial accidents in Canada, and as to wages paid in certain industries.

University of North Dakota.—Information as to labour laws in Canada.

International Harvesting Company.—Information as to labour laws in Canada.

Wesley College, Winnipeg, Man.—Information regarding reports on industrial and labour conditions.

C.—REQUESTS FROM INDIVIDUALS.

The requests for information received from individuals in Canada and other countries were very similar in their nature to the requests received from government departments, public bodies, societies and organizations. The number of requests from individuals was very very much larger, especially the inquiries as to opportunities of employment, rates of wages and hours of labour, and existing labour legislation. Special mention should be made of the many requests received from university students and persons engaged in the preparation of these or articles on industrial and labour questions, or in preparing for a debate on some subject connected therewith. Scarcely a week passes that the department does not receive from some person a request for information as to published sources of information, having to do with such questions as arbitration and conciliation, the incorporation of trade unions, strikes and lockouts and the like, and several such requests have been received in the course of a single week. During the past year requests of this kind have come from the Universities of

Toronto, Manitoba, Chicago, North Dakota, Wisconsin and from Leland Stanford, Harvard, McGill, Queen's Universities, as well as from a large number of individuals both in Canada and the United States. Among other subjects, in addition to these already named, on which information has been sought from individual sources may be mentioned the following : Natural resources of Canada, employment of Chinese, immigration, cost of living, condition of female and child labour, factory and boiler inspection, monopolies and trusts, &c.

The Acts to Restrict the Importation of Aliens.

The department has carried on a considerable corespondence in regard to the Acts to restrict the importation of aliens by way of furnishing persons with particulars as to the provisions of the law and the method of its enforcement, and by way of notifying parties of alleged infractions of the Acts, and directing attention to the penalties attending such infractions. The department has also been the means of securing to informants under the Act, fifty per cent of the fines which have been imposed where the offenders have been prosecuted for violation of the Act.

In August, 1901, an information was laid by W. L. MacDonald, a miner, of Rossland, B.C., against one Albert Geiser, for alleged violations of the Alien Labour Act, by bringing in from the United States, under contract, two men to work in the Rossland mines, while members of the Rossland Union were out on strike. Two convictions were obtained before the police magistrate at Rossland, one for $50 and the other for $500. Subsequent to these convictions, application for appeal was made to Mr. Justice Walkem, of British Columbia, but was refused. A second application made later to the Hon. Mr. Justice Irving, at Greenwood, was also refused. A third application was made to the Chief Justice of the province, who referred it back to Mr. Justice Irving, to be disposed of by him when next in Rossland. These applications for appeal extended over a greater part of 1902, and in the spring of 1903, at the assizes in Rossland, Mr. Justice Irving dismissed the application.

According to the provisions of the Act, the amount recovered in case of conviction, is to be placed to the credit of the Receiver General of Canada, and any portion of the amount not exceeding one-half, may be paid to the original informer, at whose instance the convictions have been obtained. In the cases here referred to, the police magistrate at Rossland did not forward the amount of the penalties to the Department of Finance until July, 1903. Mr. MacDonald, the informer, made application to the Department of Labour for a share of the penalties, and on the recommendation of the Honourable the Minister of Labour, the Minister of Finance directed that a cheque for half the amount of the fines should be forwarded to Mr. MacDonald through the Department of Labour. The cheque was duly received and acknowledged by Mr. MacDonald on the 23rd August, 1903.*

During the year an employer who had been involved in strike difficulties with his employees, in Toronto, was fined fifty dollars and costs for having induced two citizens

* For an account of the convictions in Rossland under the Alien Labour Act here referred to, see the *Labour Gazette*, Volume IV., No. 2, p. 143 (August).

of the United States to come to work in his establishment by an agreement made previous to their coming, and by prepaying their transportation. The fines were forwarded to the Receiver General at Ottawa, in accordance with the provisions of the law, and the solicitors for the informants having made application to the department on behalf of their clients for fifty per cent of the fines, the amount was obtained on the recommendation of the Minister of Labour from the Receiver General and duly forwarded.*

In connection with the administration of the Acts to restrict the transportation and employment of aliens, mention should be made of the extensive correspondence carried on by the department prior and subsequent to the appointment of the Royal Commission to investigate the alleged employment of aliens by the Grand Trunk Pacific Railway Company. An account is given elsewhere in this report of the circumstances which led to the appointment of the Commission, but in speaking of the correspondence of the department, the fact should not be forgotten that before the Commission was appointed the department did all in its power by correspondence to ascertain full particulars in regard to the complaints made by the Dominion Institute of Amalgamated Engineering and others, and to have the grounds of complaint effectively removed. Morever, at the time of the appointment of the Commission, and during its proceedings, the department conducted an extensive correspondence with interested parties in reference to its work. The preparation of copies of correspondence for the use of the Commission and other copying necessitated by returns for parliament, exhibits required, &c., was such as to require the abandoning for a time of other parts of the department's work, in order that the necessary clerical assistance could be obtained to carry on this work by the staff of the department.

Amendments to Railway Act for the Greater Protection of Employees.

On the 23rd June, 1903, the department received from the Hamilton Trades and Labour Council a communication directing attention to the possibility of accidents occurring on railways, owing to the excessive hours which employees were obliged on occasions, to continue on duty, and citing specifically a case which had come to the notice of the Hamilton Trades and Labour Council. This communication resulted in an important correspondence between the Department of Labour and the Department of Railways and Canals, in which the Honourable Minister of Labour pointed out the need of some provision being made, whereby specific authority would be given to some department of the government to inquire, not only into actual causes of railway accidents which had taken place, but, also, where circumstances warranted, as to whether the railway companies had adopted all reasonable precautions for the prevention of accidents. It was suggested by the Honourable the Minister of Labour that the scope of the proposed railway commission should be extended so as to empower the commission to undertake this work. An amendment covering the matter was thereupon drafted by the Department of Railways and Canals for inclusion in the Railway

* For an account of the convictions in Toronto under the Alien Labour Act here referred to, see the *Labour Gazette*, Volume IV., No. 11, p. 1129 (May, 1904).

Bill at that time before parliament, and this amendment became part of the law as finally passed. The section of the Railway Act dealing with the subject is as follows:—

'The Board may appoint such person or persons as it thinks fit to inquire into all matters or things which it deems likely to cause or prevent accidents, and the causes of and the circumstances connected with any accidents or casualty to life or property, and into all particulars relating thereto.' *

Since the Board of Railway Commissioners has been appointed under the Act, Mr. Joseph E. Duval has been appointed a special officer of the Board to deal with the subject of accidents occurring on railways.

Other provisions for the protection of railway employees were also inserted in the Railway Act, either directly, or in part, through the influence of the Honourable the Minister of Labour and the department. The provision compelling the payment of fair wages to workmen employed on any contract for the Dominion government or being carried out under subsidy of the government, had been previously a matter for insertion in the specifications and conditions relating to the contracts in question, in accordance with the terms of the Fair Wages Resolution, passed by the House of Commons in March, 1900. In the Railway Act this resolution of the House of Commons was made part of the general law, in so far as railway contracts were concerned.*

Other provisions introduced for the first time in the Railway Act provide that all box freight cars built in Canada in future shall be provided with outside ladders projecting below the frame of the car on two of the diagonally opposite ends and sides of each car, with hand-grips placed anglewise for the ladders on each car. Cars without these appliances, built prior to the passing of the Act, must be fitted with the attachments in question on or before December 1, 1905, unless improved attachments are recommended by the board in the meantime. It was also provided that all trains should have efficient apparatus to permit of immediate communication between the conductor and engine driver, brakes of a kind to permit of bringing the train to a standstill as expeditiously as possible, including a power drive-wheel brake and appliances for operating the train brake system upon the locomotive, the brake, in the case of passenger trains, to be instantaneous in action and self-applying in the event of any failure in the continuity of its action. Automatic car couplers, capable of being uncoupled without the necessity of men going in between the ends of the cars, were also ordered, railway companies being given until January 1, 1906, to equip all trains with the brake appliances and couplers mentioned. A penalty not exceeding $200 was imposed for violation of the above provisions.

Fraudulent Representations in England to Mechanics and other Skilled Workmen.

The attention of the department was drawn during the year to the fact that certain individuals in Great Britain were engaged in making fraudulent representations to mechanics and other skilled workmen with a view to securing their emigration to

* Sec. 236, 3 Edw. VII, c. 58.

* See account in present report under heading 'Fair Wages on Public Contract Work'.

Canada. A considerable correspondence was carried on by the department with a view to getting exact information in regard to the alleged fraudulent representations, and of putting a stop to the same. As it was stated that these individuals were operating by holding themselves out as agents of the Canadian government, the Department of the Interior which has to do with immigration, had, at the request of the Department of Labour, the following advertisement inserted in the leading newspapers of the United Kingdom:

'The government of the Dominion of Canada, having been informed that certain persons conducting labour agencies in London and elsewhere in the United Kingdom have been promoting the emigration to Canada of mechanics and other skilled workmen, have been giving false information respecting labour conditions in Canada and have represented themselves as agents of or as having the sanction and endorsement of the Dominion government, notice is hereby given that the Dominion government has no such agents in the United Kingdom, has not authorized, sanctioned or in any way given its approval to any agency in the United Kingdom for promoting the emigration to Canada of mechanics or other skilled labour.'

These advertisements were published in the following papers :

The London 'Telegraph,' the London 'Chronicle,' the London 'Mail,' London 'Express,' London 'Leader,' London 'Star,' London 'Sun,' London 'Echo' and the London 'Evening News'; the Manchester 'Guardian' and the Manchester 'Evening News'; the Birmingham 'Post' and the Birmingham Mail'; the Liverpool 'Post' and the Liverpool 'Echo'; the Glasgow 'Herald' and the Glasgow 'Record'; the Edinburgh 'Scotsman' and the Edinburgh 'Evening Despatch'; the Newcastle 'Chronicle' and the Newcastle 'Evening Chronicle'; the Cardiff, South Wales, 'Echo' and the Cardiff 'Western Mail'; the Bristol 'Western Press' and the Bristol 'Evening News'; the Belfast 'Northern Whig' and the Belfast 'Evening Telegraph'; the Dublin 'Irish Times' the Dublin 'Freeman's Journal.' The Press Association also gave a good circulation to the notice.

In addition to the publication of the advertisement herein quoted, the Department of the Interior also caused the following notice to be published in the papers in Great Britain, and to be posted in its London offices and elsewhere.

'WARNING TO EMIGRANTS.'

The Emigration Branch of the Canadian government desires it to be distinctly understood that individuals and organizations sending out mechanics to Canada, are not approved by, nor in any way connected with the Canadian Government.

J. BRUCE WALKER.

Canadian Government Office,
52 St. Enoch Square.

The attention of the Imperial government was also drawn to the alleged frauds, and a request made that steps be taken by the home government to suppress all such frauds, and to punish the offenders.

Investigation of Influx of Italian Labourers into Canada.

An important investigation was conducted by the Deputy Minister into the large importation of Italian labourers into Canada during the spring of the year with a

view to discovering the causes of so large a number of Italian labourers coming to this country, and of preventing a further influx. Between six and eight thousand came either direct from Italy or the United States, via the city of Montreal during the spring months of the year, and during May and June the number of Italians without employment in the city of Montreal was such as to occasion considerable hardship among the Italians, as well as great discontent among Canadian workmen in that city. The Deputy Minister of Labour personally investigated the matter during the month of June, and presented his report to the government on the 11th of that month. During his investigation, the Deputy Minister received such positive evidence of extensive and fraudulent practices, that in his report he recommended that in the public interest, the matter should be further inquired into under oath by a Royal Commission appointed for the purpose. On the recommendation of the Honourable the Minister of Labour, a Commission was issued to His Honour Judge Winchester, on June 20, the inquiry by the Commissioner to include the circumstances which have induced Italian labourers to come to the city of Montreal from other countries during the year, the persons engaged directly or indirectly in promoting their immigration, and the means and methods adopted in bringing about such immigration. The Commissioner owing to other duties had not been able to enter upon this inquiry at the close of the fiscal year, but an immediate effect of the investigation by the Deputy Minister and the appointment of the Commission was to put a sudden and effectual stop to further importations, and also to occasion the parties which were primarily responsible for the original influx to find ways and means of ridding the labour market in Montreal of the burden placed upon it by the presence of so large a number of unemployed. Immediate steps were taken by the responsible parties to make amends for some of the fraudulent practices which they had carried on.*

The Circulation of the 'Labour Gazette.'

The *Gazette* is published in both French and English, which involves the keeping of separate records, separate mailing lists, and the printing of all notices and the reading of all proofs in both languages. On account of a subscription being charged for the *Gazette*, and the circulation being as large as it is, a great deal of work in the nature of entries, forwarding subscription accounts, acknowledging receipts, sending out renewal blanks, preparing mailing lists, changing addresses of subscribers, &c., &c., is necessitated. This work has increased during the year. A number of sample copies of the *Gazette* have also been mailed from the department from time to time.

During the fiscal year, 1903-1904, the average monthly circulation of the *Labour Gazette* on account of annual subscriptions was 7,328, indicating an increase of 291 in the number of paid subscriptions over the previous year. The following figures will show the total circulation as it was on the last day of the fiscal years covered by the period from 1900 to 1904 :

*His Honour Judge Winchester opened the inquiry into the influx of Italian labourers into Montreal on the 21st day of July, 1904. The taking of evidence was concluded on the 26th day of the same month. It was expected, however, that it would be some time before the commissioner would be in a position to make his report to the Honourable the Minister of Labour on the matter.

DEPARTMENT OF LABOUR GAZETTE, CANADA.
STATISTICAL TABLES, IV. A. R. No. 14.

TABLE SHOWING CIRCULATION OF 'LABOUR GAZETTE' ON JUNE 30 OF FISCAL YEARS 1900-1, 1901-2, 1902-3 AND 1903-04 RESPECTIVELY.

Year.	Annual Subscriptions.	Free Distribution.	Total Circulation.	Increase over Previous Year.
1900-1	4,394	2,158	6,912	
1901-2	5,648	2,722	8,370	1,458
1902-3	7,748	3,046	10,794	2,424
1903-4	7,361	3,553	10,914	120

Under the head of copies of the *Gazette* sent as exchanges are included *Gazettes* sent to public departments of the governments, both federal and provincial in this and other countries, to the proprietors of trade papers and labour journals in exchange for their publications. On the free list are included copies sent to members of both Houses of Parliament, commercial agents, public libraries, boards of trade, libraries of educational institutions, local newspapers and the officers of organizations supplying from time to time information requested by the department. The following summary will show the divison of copies mailed on account of exchange and free list :—

Exchange List.

Departments of governments (includes federal, provincial and foreign governments and their officers)	352
Trade papers and labour journals	95
	447

Free List.

Free Public Libraries and Libraries of Educational Institutions	83
Members of Parliament and Senators	294
Boards of Trade	221
Newspapers	657
Labour Organizations	1,826
Correspondents (three copies to each)	105
	3,106

IX.—REVENUE AND EXPENDITURE.

THE revenue of the department is derived from the sale of the *Labour Gazette*, the substription rate of which is 20 cents per annum. Single copies are supplied at the rate of 3 cents each, or 20 cents per dozen. Bound volumes of the *Gazette*, including the issues of each year, have been sold at the rate of 50 cents per copy.

Revenue.

The following statement of receipts from subscriptions, and the sale of single and bound copies of the *Gazette* during the fiscal year 1903-04, shows that the net revenue derived by the government from this source has amounted to $1,324.91, being an increase of $263.78 over the revenue of 1901-2, and an increase of $523.24 over the revenue of 1900-1.

STATEMENT OF THE REVENUE OF THE DEPARTMENT OF LABOUR FOR THE FISCAL YEAR ENDING JUNE 30, 1904.

DEPARTMENT OF LABOUR, CANADA,
STATISTICAL TABLES, IV. A.R.—No. 15

June 30, 1904.

Amount received from subscriptions to *Labour Gazette*..		$1,283 00
Sale of single and double copies..		97 36
Commission on subscriptions unclaimed..		0 25
		$1,380 61
LESS.		
Commission on subscriptions..	$54 80	
Fees paid for postal notes, transmitting amounts due as commission on subscription	0 90	
		55 70
Net revenue..		$1,324 91

Expenditure.

The total expenditure of the department for the fiscal year 1903-4, exclusive of amounts specially voted to meet expenses of Royal Commissions to inquire into industrial disputes in British Columbia and the alleged employment of aliens by the Grand Trunk Railway Company was, $40,638.23. This amount includes salaries of resident members of the staff, salaries of correspondents of the *Labour Gazette*, the printing, binding and mailing of the *Gazette* and other expenses on account of print-

ing incurred by the department ; all expenses on stationery account, travelling expenses of Fair Wages officers in the preparation of schedules of wages for insertion in government contracts and the investigation of alleged violations of conditions ; travelling and other expenses in connection with the settlement of industrial disputes under the Conciliation Act, the purchase of books for the library, and all other expenses of the department.

The expenditure incurred during the year on account of the Commission appointed to investigate industrial disputes in the province of British Columbia and the printing of the report and evidence of that Commission was $1,469.88. The expenditure incurred on account of the Commission to inquire into the alleged employment of aliens on the Grand Trunk Pacific, was $962.25.

I have the honour to be, Sir,
Your obedient servant,

W. L. MACKENZIE KING,
Deputy Minister of Labour.

THE ROYAL COMMISSION

IN RE

The Alleged Employment of Aliens in Connection with the Surveys of the Proposed Grand Trunk Pacific Railway.

Report of Commissioner

AND

OTHER DOCUMENTS.

PRINTED BY ORDER OF PARLIAMENT.

OTTAWA:
Printed for S. E. DAWSON, Printer to the King's Most Excellent Majesty.
1905.

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Diagram—C. P. R. part through Rocky Mountains.

ORDER *RE* APPOINTMENT OF COMMISSIONER.

PRIVY COUNCIL,
Canada.

EXTRACT FROM A REPORT OF THE COMMITTEE OF THE HONOURABLE THE PRIVY COUNCIL, APPROVED BY THE GOVERNOR GENERAL ON THE 23RD MAY, 1904.

On a Report, dated 19th May, 1904, from the Minister of Labour, representing that numerous complaints have been made to the effect that aliens, not being *bona fide* residents of Canada, have been and are being employed to make surveys and perform other work in connection with the proposed National Transcontinental Railway to the exclusion of Canadian citizens and British subjects; that it is expedient to ascertain whether, and if so, to what extent the said complaints are well founded, and for that purpose that an enquiry be made to ascertain the name, nationality, nature and time of employment, remuneration and actual *bona fide* residence at the time of employment of each person heretofore or at present employed in respect of said surveys or other work; and also that an enquiry be had as to the names of all Canadians or *bona fide* residents of Canada who may have made application for any such employment as aforesaid; the nature of the appointment applied for, and the result of such application.

The Minister therefore recommends that it be referred to His Honour John Winchester, Senior Judge of the County Court of the County of York, in the Province of Ontario, as Commissioner under the provisions of Chapter 114, Revised Statutes of Canada, entituled "An Act respecting Enquiries concerning Public Matters," to hold and conduct such enquiries with all the powers conferred upon Commissioners by said Act; . . . . . the said Commissioner to report his findings to the Minister of Labour with all possible despatch.

The Committee submit the same for approval.

(Sgd.) JOHN J. McGEE,

Clerk of the Privy Council.

The Honourable
The Minister of Labour.

COMMISSION.

(Sgd) Minto.

CANADA.

Edward the Seventh.

By the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas.

King, Defender of the Faith, Emperor of India.

To all to whom these presents shall come, or whom the same may in anywise concern:

Greeting:—

Whereas by a report of the committee of Our Privy Council for Canada approved by our Governor General on the twenty-third day of May, one thousand nine hundred and four, an extract of which is hereto annexed, provision was made as in said extract set forth for an investigation by Our Commissioner hereinafter named to ascertain the names, nationality, nature and time of employment, remuneration and actual *bona fide* residence at the time of employment of each person heretofore or at present employed in connection with the surveys of the proposed Grand Trunk Pacific Railway, and also as to the names of all the Canadians or *bona fide* residents of Canada who have made application for such employment, the nature of the employment applied for and the result of such application.

Now know ye that we by and with the advice of Our Privy Council for Canada do by these presents nominate, constitute and appoint His Honour John Winchester, Judge of the County Court of the County of York, in the Province of Ontario, to be OUR COMMISSIONER to conduct such inquiry. And we do hereby under the authority of the Revised Statutes of Canada, Chapter 114, intituled "An Act respecting Inquiries concerning public matters," confer upon you our said Commissioner the power of summoning before you any witnesses and of requiring them to give evidence on oath, orally or in writing, or on solemn affirmation if they are persons entitled to affirm in civil matters and to produce such documents and things as you Our said Commissioner shall deem requisite to the full investigation of the matter into which you are hereby appointed to examine, inquire into and investigate.

To have, hold, exercise and enjoy the said office, place and trust unto you the said John Winchester together with the rights, powers, privileges and emoluments unto the said office place and trust or right and by law appertaining during pleasure. And we do hereby require and direct you to report to Our Minister of Labour of Canada the result of your investigation, together with the evidence taken before you and any opinion you may see fit to express thereon.

In testimony whereof We have caused this Our Letters to be made patent and the Great Seal of Canada to be hereunto affixed—Witness: Our Right Trusty and Right Well Beloved Cousin and Councillor The Right Honourable Sir Gilbert John Elliot, Earl of Minto and Viscount, Melgund of Melgund, County of Forfar, in the Peerage of the United

Kingdom, Baron Minto of Minto, County of Roxburgh, in the Peerage of Great Britain: Baronet of Nova Scotia; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, etc., etc., Governor General of Canada.

AT OUR GOVERNMENT HOUSE, in the City of Ottawa, this Twenty-third day of May, in the year of Our Lord one thousand nine hundred and four, and in the fourth year of Our Reign.

BY COMMAND.

(Sgd.) JOSEPH POPE,
Under Secretary of State.

(Sgd.) E. L. NEWCOMBE,
Deputy to the Minister of Justice,
Canada.

Letter Transmitting Report of Commissioner.

TORONTO, January 26, 1905.

TO THE HONOURABLE
SIR WILLIAM MULOCK, K.C.M.G., M.P.,
Minister of Labour,
Ottawa.

SIR:

I have the honour to transmit to you the result of my investigation as Special Commissioner appointed in the matter of the alleged employment of aliens in connection with the proposed Grand Trunk Pacific Railway, together with the evidence taken before me and documents produced.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd) JNO. WINCHESTER,
Commissioner.

REPORT OF COMMISSIONER.

To the Honourable,
Sir William Mulock, K.C.M.G., M.P.,
Minister of Labour, Ottawa.

Toronto, January 26th, 1905.

SIR,—

I have the honour to report that on the 26th May, 1904, I received the Royal Commission issued to me, bearing date 23rd May, 1904, authorizing me to ascertain the names, nationality, nature and time of employment of each person heretofore or at present employed in connection with the surveys of the proposed Grand Trunk Pacific Railway, and also the names of all the Canadians or *bona fide* residents of Canada who have made application for such employment, and the nature of the employment applied for. The Commission was accompanied by the following letter:

Ottawa, May 26th, 1904.

"SIR,—

I have the honour to enclose herewith Royal Commission referring it to you as Commissioner to enquire into the alleged employment of aliens by or on behalf of the Grand Trunk Pacific Railway, and more particularly set forth in the Commission.

The Government desires the enquiry to be thorough and expeditious. Doubtless it will not only facilitate the work, but also add to the convenience of witnesses if you should sit at different places throughout the Dominion, but as Montreal is, I think, the Company's headquarters, it might be advisable for you to begin the enquiry at that city, and thereafter, as the case proceeds, to continue it at other points in Canada.

Inasmuch as the investigation is a general one, applicable to both specific and other cases of alleged violation of the law, I would ask that you report from time to time on the conclusion of the investigation into each case.

Yours faithfully,

His Honour,
Judge Winchester,
Toronto.

WM. MULOCK,
Minister of Labour."

Extent of Enquiry.

Pursuant to the desire of the Government expressed in the above letter I at once made arrangements to prosecute the enquiry with all expedition, and appointed Monday, the 30th day of May, 1904, at 12 o'clock noon at the Court House, in the City of Montreal, the headquarters of the proposed Grand Trunk Pacific Railway, for the commencement of such enquiry, and forwarded the following notice for publication, that is to say:

"As Commissioner appointed by the Government of Canada to enquire into the names, nationality, nature and time of employment, remuneration and actual *bona fide* residence at the time of employment of each person heretofore or at present employed in connection with the surveys of the proposed Grand Trunk Pacific Railway, and also as to the names of all Canadians or *bona fide* residents of Canada who have made application for such employment and nature of the employment applied for, and the result of such applications, I hereby give notice that on Monday, the 30th day of May, 1904, at 12 o'clock noon at the Court

House, in the City of Montreal, I will commence such enquiry and continue the same at the said city and at the City of Winnipeg and other places as may from time to time be announced.

Information from any person in a position to give testimony in regard to the matter of enquiry is respectfully invited.

All communications should be directed to me in care of the Department of Labour, Ottawa.

JOHN WINCHESTER,

Commissioner."

Ottawa, 26th May, 1904.

This notice was immediately forwarded to and inserted in the first issue of the newspapers after they received the same, namely in Montreal, *The Montreal Herald*, *Le Canada*, *and La Presse;* in Toronto, *The Globe*, *The Mail and Empire*, *The World*, *The Star*, *The Telegram* and *The News;* in Winnipeg, *The Manitoba Free Press*, and *The Telegram;* in Vancouver, *The Vancouver Daily Province* and *The World*. I also prepared special subpoenas for service upon witnesses, and had some forwarded to Montreal and Winnipeg.

At the hour appointed I opened the enquiry in Montreal, and continued same, examining witnesses and the correspondence relating to the application and employment of engineers in connection with the surveys referred to in the Commission, until the evening of the first June. The following witnesses were examined, namely: John R. Stephens, the Assistant Chief Engineer of the Grand Trunk Pacific Railway, H. M. Goodman, draughtsman in the Assistant Chief Engineer's office; William E. Mellen, Chief Clerk in the same office; Charles M. Hays, second Vice-President and General Manager of the Grand Trunk Railway Company; Henry W. Walker, Auditor of the Grand Trunk Railway Company; William H. Biggar, Solicitor of the Grand Trunk Railway, and Eugene P. Quirk, and Albert L. Ghysens, two engineers, *bona fide* residents of Canada, who had applied for positions as engineers but had been refused employment, these two gentlemen being the only applicants who appeared before me during such sitting.

After the examination of Mr. Stephens I considered it necessary in the interests of the enquiry to proceed at once to Winnipeg, leaving Montreal on the morning of the 2nd June. Upon arrival at Winnipeg I immediately made arrangements to continue the investigation on Monday, the 6th June at 2 P.M. At this place I was joined by Mr. H. M. Mowat, K.C., who had in the meantime been retained by the Government as Counsel to assist in the enquiry. The enquiry was opened on the 6th June and continued on the 7th 8th and 9th June, during which time I examined twenty-one witnesses, of whom nine were *bona fide* residents of Canada, namely: W. G. Kerle, H. Harding, F. T. Bagshaw, Wm. Mann, Wm. E. Mann, G. W. Winckler, Frank Girdlestone, Cecil Goddard, Geo. L. Griffith. These nine gentlemen had applied for positions as engineers, etc., and of these W. G. Kerle, Wm. Mann, Wm. E. Mann, C. Goddard and G. L. Griffith had been at one time appointed, but they were not then in the service of the Grand Trunk Pacific, owing to the refusal of the Company to continue to employ them. In addition to these Mr. J. Woodman's name had been submitted but rejected. Six of the witnesses were employees of the Grand Trunk Pacific, namely: G. A. Kyle, S. H. Mason, B. R. Johnston, Alex. Eggo, James H. Bacon, B. B. Kelliher, the remaining witnesses being John G. Sullivan, F. F. Bus-

teed, and J. A. Hesketh, engineers in the service of the Canadian Pacific Railway.

Finding it impossible to obtain the attendance of the staffs forming parties working at a distance from Winnipeg in less than ten days time I immediately proceeded to Edmonton, to continue the enquiry at the Division office there. I arrived at Edmonton on the evening of the 11th June, and immediately made arrangements to open the enquiry on Monday, the 13th June.

Accordingly the enquiry was opened on the 13th June and continued until the evening of the 15th June, during which time I examined sixteen witnesses, fifteen of whom were in the service of the company, namely: C. C. Van Arsdol, E. R. McNeill, E. McD. Mellen, A. S. Going, J. Armstrong, F. S. Rossiter, Gilbert Murray, E. H. Dodd, J. D. McVicar, C. H. Hall, Jas. Hislop, R. A. Henderson, L. E. Silcox, W. J. Glanville and C. E. Matthews. In addition to these Mr. Alex. J. McLean, the Engineer, of Edmonton, was examined. His name appears on the list of applicants subsequently obtained in Winnipeg. He, however, was not appointed.

From Edmonton I proceeded to Regina to meet with a number of parties that I had arranged to examine at that place, and on the 17th June I examined ten witnesses, all of whom were in the service of the company, namely: C. W. Stuart, L. C. Gunn, P. J. Barnett, B. H. Savage, P. Talbot, W. E. Colladay, J. C. Baxter, A. S. Street, W. M. Anderson and E. G. Smith.

From Regina I returned to Winnipeg, and continued the enquiry there on the 20th, 21st, 22nd and 23rd June, examining twenty-four new witnesses, as well as re-examining six of the witnesses examined on the previous occasion. Of these new witnesses twelve were in the service of the company, namely: Alex. G. Allan, F. W. Fink, J. A. Green, P. T. Gill, C. M. Bull, A. A. Meador, F. O. Parsons, H. J. Perrin, J. A. Heaman, C. D. Fairchild, S. J. Mayo and L. A. Darey; and five were *bona fide* residents of Canada and were applicants for positions as engineers, but were not employed, namely: Z. Malhiot, S. Adkins, A. M. Morgan, John Irvine and Denston Gibson; and the remaining new witnesses being, T. Turnbull, R. Fowler, R. C. McPhillips, Engineers, and Chas. Southern.

From Winnipeg I proceeded to North Bay, arriving there on the evening of the 25th June, and immediately made arrangements to continue the enquiry on Monday, the 27th June. On the 27th June I examined fourteen witnesses, of whom eleven were in the service of the company, namely: Geo. A. Knowlton, C. F. Hannington, T. C. Taylor, W. F. Graham, G. Marryatt, A. N. O'Kelly, D. S. McLeod, L. Jandrow, J. M. Fotheringham, E. R. Brobeck and G. W. Stadly; and one who had been in their employ but whose services had been dispensed with, namely: J. P. Pim; the remaining two witnesses being R. A. Russell and R. Laird, Engineers.

From North Bay I proceeded to Montreal, having appointed the 30th June to examine a number of witnesses that I had subpoenaed for that date, but in consequence of the inability of counsel for the Grand Trunk Railway to attend the enquiry I adjourned same until the 4th July, and proceeded to Ottawa to examine the witnesses there according to an appointment previously issued. On the 2nd July I examined in the City of Ottawa five witnesses, namely: Collingwood Schreiber, H. A. F. McLeod, T. C. Keefer, H. Holgate and Ambrose Duffy, the latter although a *bona fide* resident of Canada, and an applicant for a position as engineer, was refused employment.

On the 4th July I continued the enquiry at the City of Montreal and

examined eight new witnesses, namely: J. M. Shanly, Prof. C. H. McLeod, P. W. St. George, E. Marceau, W. J. Sproule, J. A. U. Beaudry, E. Berryman and Brian D. McConnell, and re-examined two of the witnesses previously examined, namely: Charles M. Hays and J. R. Stephens. Among the new witnesses the three last named being *bona fide* residents of Canada had applied for positions of engineer, but their applications had not been accepted.

On the 13th July I continued the enquiry in Toronto, and examined nineteen witnesses, eleven of whom, R. W. Leonard, J. H. Armstrong, Thos. E. Hillman, Cecil B. Smith, A. H. N. Bruce, A. F. McCallum, J. A. Paterson, John McCunn, J. L. Boyd, H. G. Dimsdale and A. L. McLennan were *bona fide* residents of Canada, and had made application for the position of engineer upon the survey—Mr. J. A. Paterson on behalf of his brother—but their applications had been rejected; the remaining eight witnesses being W. T. Jennings, Wm. MacKenzie, E. H. Keating, Prof. J. Galbraith, Joseph Hobson, James McDougall, Harry Crewe and A. W. Campbell.

On the 16th July the enquiry was continued at Kingston, where I examined fourteen witnesses, of whom eight were *bona fide* residents of Canada and had applied for positions as engineers, but whose applications had not been accepted, namely: John L. H. Bogart, A. D. McRae, M. Ferguson, U. Fairlie, Harry Belcourt, H. Osborne, John Seers, Alex. McLennan, the remaining witnesses examined being: T. W. Nash, Hon. W. Harty, A. K. Kirkpatrick, Major Panet, J. W. Cochrane and Prof. Carr-Harris.

On the 20th July I re-examined Mr. Hays, Mr. Stephens and Mr. Walker at Montreal, and on the 3rd August I examined Mr. Hugh D. Lumsden at the City of Toronto, having been unable to examine him previous to that date owing to his absence from the Province. I endeavored to examine Sir Sandford Fleming, but was unable to do so owing to his absence from home on his way to England. In consequence of my inability to examine him I wrote him the letter dated 11th July, 1904, set forth in the minutes of evidence herewith, and received from him a reply thereto, dated July the 15th, also set forth in the said minutes of evidence. In my letter to him I stated that the questions propounded by me, and his answers thereto would appear in my report to the Government. Upon the receipt of the letter from Sir Sandford Fleming, and learning he had delayed his visit to England, I forwarded a copy of my letter to him and his reply thereto, to Mr. W. H. Biggar, K.C., accompanied by the following letter:

Toronto, 27th July, 1904.

"My Dear Sir,—I have appointed 11 A.M., of the 3rd August, 1904, at my chambers in the City Hall, Toronto, for the examination of Mr. Hugh D. Lumsden in the Grand Trunk Pacific investigation.

I enclose herewith a copy of a letter sent by me to Sir Sandford Fleming and of his reply thereto which I intend using in connection with my report to the Minister of Labour and if you wish to cross-examine Sir Sandford in respect to such letter I will have him subpoenaed for that day also.

Kindly let me know at the earliest moment as to your desire in this respect, and please address me at Toronto."

Yours faithfully,

JOHN WINCHESTER,
Commissioner."

W. H. Biggar, Esq., K.C.,
Grand Trunk Railway,
Montreal, Que.

To this letter no answer was received.

During the examination of all the witnesses, with the exception of Mr. Lumsden, counsel appeared on behalf of the Grand Trunk Railway, and took part in the examination of witnesses, with the exception of the witnesses at Ottawa, where counsel for the Railway did not, although appearing, take part in the examination.

Interim Reports.

During the progress of the investigation I reported from time to time as requested by your letter of the 26th May, 1904, recommending the deportation of certain American citizens on the ground of their being subjects of a foreign country, and having been allowed to land in Canada, contrary to the provisions of the Act restricting the importation and employment of aliens, which Act, 60-61 Viet., Chap. 11, Sec. 6, as amended by 1 Edw. VII., chap. 13, sec. 3, reads as follows:—

"The Attorney General of Canada, in case he shall be satisfied that an immigrant has been allowed to land in Canada contrary to the prohibition of this Act, may cause such immigrant, within the period of one year after landing or entry, to be taken into custody and returned to the country whence he came, at the expense of the owner of the importing vessel, or, if he entered from an adjoining country, at the expense of the person, partnership, company or corporation violating section 1 of this Act."

The names, occupations, addresses of said persons and date of reports are as follows:—

Goodman, Herman Mark; Draughtsman; Montreal, Que.; 1st June, 1904.

Mason, Sherman Hurd; Draughtsman; Winnipeg, Man.; 7th June, 1904.

Van Arsdol, Cassius C.; Division Engineer; Edmonton, Alta.; 13th June, 1904.

McNeill, Edward R.; District Engineer; Edmonton, Alta.; 13th June, 1904.

Mellen, Edward McD.; Chief Clerk; Edmonton, Alta.; 13th June, 1904.

Colladay, Walter Earl; Assistant Engineer; Regina, Assa.; 20th June, 1904.

Baxter, John C.; Transitman; Regina, Assa.; 20th June, 1904.

Anderson, Walter M.; Topographer; Regina, Assa.; 20th June, 1904.

Gunn, Luther Collins; Transitman; Regina, Assa.; 20th June, 1904.

Talbot, Peter; Topographer; Regina, Assa.; 20th June, 1904.

Fink, Frederick W.; Transitman; Winnipeg, Man.; 21st June, 1904.

Green, John A.; Leveller; Winnipeg, Man.; 21st June, 1904.

Mayo, Stanley J.; Rodman; Winnipeg, Man.; 21st June, 1904.

Meador, Amos A.; Draughtsman; Winnipeg, Man.; 21st June, 1904.

Parsons, Frederick O.; Leveller; Winnipeg, Man.; 21st June, 1904.

Bacon, James H.; Harbour Engineer; Port Arthur, Ont.; 5th July, 1904.

Taylor, Thomas C.; Assistant Engineer; North Bay, Ont.; 5th July, 1904.

Gailor, Charles F.; Assistant Engineer; North Bay, Ont.; 5th July, 1904.

Sprague, D. D.; Assistant Engineer Party 18; Edmonton, Alta.; 18th July, 1904.

Douglas, Kyle; Transitman Party 18; Edmonton, Alta.; 18th July, 1904.

Callaghan, John; Assistant Engineer Party 17; Edmonton, Alta.; 18th July, 1904.

Hare, H. T.; Transitman Party 17; Edmonton, Alta; 18th July, 1904.

Nichoson, R. H.; Draughtsman Party 18; Edmonton, Alta.; 18th July, 1904.

Benjamin, W. W.; Axeman Party 14; Edmonton, Alta; 18th July, 1904.

Applications of Bona Fide Residents of Canada.

In my investigation as to the applications made by *bona fide* residents of Canada to the Head Office at Montreal I discovered applications from at least 100 Canadians, or *bona fide* residents of Canada for positions of engineer on the survey, and a large number of applications for subordinate positions such as those of transitmen, draughtsmen, topographers and levellers. In Winnipeg I discovered eighteen applications from Canadians *bona fide* residents of Canada for the positions of engineers in charge of parties, five of these had been appointed, and seventy-eight applications for subordinate positions such as those of transitmen, draughtsmen, topographers and levellers and 250 for rodmen, chainmen, etc., etc., all Canadians.

In Edmonton, the number of applications received from *bona fide* residents of Canada were, engineers 16, transitmen, draughtsmen, topographers and levellers 34, and a large number for rodmen, chainmen, axemen, etc., etc. In North Bay the number of applications for engineers from *bona fide* residents of Canada were 12, transitmen, draughtsmen, levellers and topographers 48, and rodmen, chainmen, axemen, etc., 31.

At the conclusion of the examination of Mr. Stephens and Mr. Hays in Montreal on the 1st June, I wrote, on the 2nd June, to the engineers whom they stated had been offered positions but who had refused to accept same, requesting them to inform me as to the facts concerning such offers and why the offers had not been accepted by them. To my enquiries I received replies from Mr. Hugh D. Lumsden, Cecil B. Smith, John A. Paterson, James M. Kennedy, J. A. U. Beaudry, Thomas E. Hillman, R. W. Leonard, J. J Collins, and a number of others, and in consequence of their contents I considered it necessary to examine these gentlemen with reference to the statements made by Mr. Hays and Mr. Stephens in their evidence before me.

Appointment of Assistant Chief Engineer.

With reference to the employment of engineers in connection with the location of the Grand Trunk Pacific Railway Mr. Hays in his evidence before me stated that this being a Canadian work and other things being equal, it was his desire that Canadian engineers should have the preference, and in order to carry out this policy he sent for Mr. Hugh D. Lumsden through Mr. Hobson, the Chief Engineer of the Grand Trunk Railway, with a view of employing Mr. Lumsden to take charge of the proposed work. A meeting was arranged and attended by Mr. Lumsden, Mr. Hobson and himself; at that meeting he offered the

position of engineer in charge of the survey to Mr. Lumsden, Mr. Lumsden refused to accept such position on the ground that he did not wish to give up the position that he then occupied with the Canadian Pacific Railway.

In connection with this offer to Mr. Lumsden I found amongst the correspondence produced by the solicitors for the Grand Trunk Pacific Railway a letter from Mr. Collingwood Schreiber, Deputy Minister and Chief Engineer of Railways and Canals, Ottawa, to Mr. Hobson, the Chief Engineer of the Grand Trunk Railway, dated the 26th December, 1902, in which he stated:—

"The following engineers whose names I give would, I think, be acceptable to you for the positions I have placed opposite their names:—

Lumsden, Hugh, Toronto, Engineer in charge of surveys.
McLeod, Henry A. F., Ottawa, Engineer in charge of surveys.
Archibald, Peter S., Moncton, Engineer in charge of surveys.
O'Dwyer, J. S., Moncton, Engineer in charge of party.
Caddy, J. S. V., Ottawa, Engineer in charge of party.
Duffy, Ambrose, Ottawa, Engineer in charge of party.
McNaughton, C. E., Coteau DuLac., Transitman.
Brophy, John, Ottawa, Transitman.
Dickey, James A., Amherst, N.S., Transitman.
McCarthy, W., St. Peter's, C.B., Transitman.
Ruel, T., Charlottetown, P.E.I., Transitman.
Wise, A., Coteau Landing, Leveller.
Wilford, F. R., Cardinal, Que., Leveller, etc., etc."

Upon producing this letter to Mr. Hays he stated that he remembered seeing the letter and being examined in connection therewith stated as follows:—

"Q. Do you remember whether any positions were offered to any of these men? A. Yes, of the gentlemen that Mr. Schreiber recommends there was one sent for and offered the position Mr. Stephens occupies.

Q. Which gentleman was was that? A. Mr. Lumsden.

Q. He was your selection for that position? A. Yes.

Q. What was the result? A. He declined.

Q. Why? A. He was connected with another company.

Q. Was the question of salary discussed? A. Yes.

Q. This Mr. McLeod of Ottawa? A. I am not sure about him. This letter of Mr. Schreiber was to Mr. Joseph Hobson, our Chief Engineer, and the matter was handled by Mr. Hobson.

Q. So that what you say about Mr. Lumsden would be— A. Mr. Lumsden had Mr. Hobson's very strong endorsement and as he was a very good man he was ready to try and arrange for him?

Q. Now, were there any others in Canada that were consulted by you in any way? A. No, I do not know directly that any of the applications were discussed by me."

On the second day of June, immediately after the adjournment, I wrote to Mr. H. D. Lumsden as already stated enquiring as to the nature of the position that was offered to him, and the salary attached thereto, and in reply I received a letter that placed the offer in a different light from that set forth in Mr. Hays' evidence, and I considered it necessary to examine Mr. Hobson which I did at Toronto on the 13th July, as follows:—

"Q. You are Chief Engineer of the Grand Trunk Railway system? A. I am.

Q. For how many years have you been Chief Engineer? A. I have been of the whole Grand Trunk for the past eight years, eight years from 1st February.

Q. When the Grand Trunk Pacific system was being considered were you consulted with by Mr. Hays or any one on behalf of that company or organization, or whatever you may call it, with reference to the employment of engineers? A. Yes.

Q. When was that? A. I cannot remember the exact date, it would be at the very inception of the work.

Q. That would be in 1902? A. I think it would be, yes.

Q. What positions were there that you were consulted about? A. The position of engineer to take charge of the survey, as I understood it to be the engineer of the new work.

Q. Did you recommend any one for that position? A. Yes.

Q. Whom? A. Mr. Lumsden.

Q. In consequence of your recommendation what was done, or what took place? A. Mr. Hays asked me to arrange with Mr. Lumsden to call upon him at the Windsor Hotel.

Q. Did you do that? A. Yes.

Q. Were you present when they met? A. Yes.

Q. What took place at their meeting? A. Well, there was some conversation between Mr. Lumsden and Mr. Hays. Mr. Hays explained what was in contemplation, that is the extension of the Grand Trunk to the Pacific Coast, and asked him, at least proposed, I do not exactly know how that was, however, he gave him to understand that he wanted to get an engineer to take charge of the work and asked him if he would accept it.

Q. What work was specified? A. Well, the surveys particularly at that time I think.

Q. Do you remember the amount of salary offered? A. Yes.

Q. How much was offered? A. $4,000.

Q. Did Mr. Lumsden accept or decline the offer? A. Well, Mr. Lumsden I rather think before the salary was actually named, I rather think Mr. Lumsden said he would not be able to accept, that he had made other arrangements, and I think it was after that that the salary was offered; it may have been before.

Q. However, that salary was offered and the positioin was that of Assistant Chief Engineer? A. Yes.

Q. Under you? A. Yes, I do not think there was any title specially given, but he was to be engineer under me, that is what I understood, and that is what he understood I believe.

Q. And the salary was $4,000? A. $4,000.

Q. There is no doubt about that being mentioned? A. There is no doubt about the $4,000 being mentioned.

Q. Then after Mr. Lumsden declined to accept that offer were you consulted with reference to the appointment of any other gentlemen? A. No."

Upon cross-examination by Mr. Mowat he gave the following evidence:

"Q. I understand you to say that from your recollection of the conversation at the Windsor Hotel with Mr. Lumsden, Mr. Hays and yourself, you are not quite prepared to say whether Mr. Lumsden refused the position or simply showed disinclination? A. My understanding was that Mr. Lumsden was precluded from accepting it by reason of his having obtained another position before.

Q. But would you go so far as to say that the question of salary was not mentioned by Mr. Hays to him? A. The question of salary was mettioned, $4,000.

Q. Because I may tell you this, that I believe what will be said by Mr. Lumsden, though I have not seen him, is that it was because he was given to understand that the position was worth only $4,000 that he declined it,

would you be in a position to contradict that? A. That I cannot say, no, I am not in a position to say what passed through Mr. Lumsden's mind.

Q. Then what you are saying is that the conversation was all dovetailed together? A. Yes, it was a very short conversation, my recollection is Mr. Lumsden said he could not accept it by reason of his having accepted another appointment, and I thought that that reason alone was sufficient to determine Mr. Lumsden not to accept.

Q. One would think that if Mr. Hays were discussing with a sincere desire to get Mr. Lumsden he would have discussed the question of salary? A. I think Mr. Hays did discuss that with a sincere desire to get Mr. Lumsden.

Q. Then if you could recollect why apparently, according to you, the question of salary was left to the end? A. I think it was, it was one of those conversations that I did not know there was going to be so much hinging upon it, but my recollection is that Mr. Lumsden first of all mentioned that he could not accept because he had got another engagement.

Q. Then if Mr. Lumsden's recollection as to this is definite, as he says it is, you would not like to put your recollection against his? A. I certainly would not."

The examination of Mr. Lumsden held on the 3rd August with reference to this interview and offer was as follows:

"Q. Mr. Hobson, Chief Engineer of the Grand Trunk, told us in the course of this Commission that he was consulted by Mr. Hays of that railway in regard to the appointment of an Assistant to himself, and that he asked you to meet Mr. Hays on a certain occasion; have you a recollection of that occasion? A. Yes.

Q. How long ago was that? A. On the 23rd May, 1902.

Q. What means have you for recollecting so definitely as that? A. My diary.

Q. Have you got your diary here? A. Yes.

Q. Will you look up the entry of May 23rd? A. Yes—I have it here.

Q. Read it? A. (Reads) "Friday, 23rd, in Montreal, down to G.T.R. general offices and saw Hobson; also met him and Hays at Windsor at six. He offered me $4,000 a year as assistant to Hobson. I declined. Left at ten for Toronto."

Q. What was your understanding of that position worth $4,000 a year or the nature of its duties? A. I understood it maintenance under Mr. Hobson.

Q. And Assistant to Mr. Hobson on maintenance of the Grand Trunk? A. Yes.

Q. Nothing to do with the location of the Grand Trunk Pacific. A. The Grand Trunk Pacific at that time so far as I know had never been mentioned, I never heard of it being contemplated.

Q. You were not inclined at that time to swap the position on the C. P. R. for that on the Grand Trunk on maintenance? A. No.

Q. And therefore declined? A. Yes.

Q. The position of Assistant to Mr. Hobson which would rather call for engineer in chief of the new Grand Trunk Pacific, was afterwards accepted by J. R. Stephens at $7,500, had that offer been made to you would you have considered it worth considering or tempting? A. If it had been made with the understanding that it was construction of the Grand Trunk Pacific I dare say I would have entertained it."

And on further examination the following evidence was given:—

"Q. Who invited you to meet on the 23rd May, 1902, at the Windsor Hotel? A. Mr. Hobson.

Q. There you met Mr. Hays with Mr. Hobson? A. Yes.

Q. What was the conversation that took place between you at that time? A. Well, I cannot remember all the conversation, but I remember that in talking to Mr. Hobson before I met Mr. Hays at all I told Mr. Hobson I did not think there was any use of my seeing Mr. Hays, because I did not feel inclined to switch over to the Grand Trunk.

Q. What were you doing at that time? A. I was with the Canadian Pacific.

Q. Mr. Hobson said Mr. Hays explained what was contemplated, that was the extension of the Grand Trunk to the Pacific Coast, and gave you to understand that he wanted to get an engineer to take charge of the work, and asked if you would accept it—do you remember that? A. No mention made of Grand Trunk Pacific or any line to the Coast that I remember of.

Q. Your recollection is there was no such— A. No such thing mentioned, in fact I never heard of it until some few weeks after this offer was made to me, that the Grand Trunk contemplated building a continental line.

Q. Do you know how the salary came to be mentioned? A. My recollection is that Mr. Hays asked me what I was getting and I think I told him; it was less than $4,000, and he offered me $4,000, but I told him that it was the work more that did not suit than the salary. I do not know that I told him that, but I led him no doubt to believe that, that I did not care for maintenance, in fact I told Mr. Hobson before I saw Mr. Hays that.

Q. Were you in a position at that time to have undertaken this great work of locating the Grand Trunk Pacific line had a proper salary been offered you? A. Oh, yes, the Canadian Pacific would have relieved me of my position with them; I always had an understanding with them and have still.

Q. That you could be relieved of that? A. Yes.

Q. And that work would have had its inducements to you I suppose much greater than the work in which you were interested at that time? A. Yes.

Q. Such a large undertaking as that would no doubt have been considered by you very favorably? A. Yes.

Q. Why was the $4,000 offered, if you told them at that time, as Mr. Hobson thinks you did, that you would not undertake a change at all? A. They did offer me a salary, Mr. Hays said he would give me $4,000, that I was to think over it and if I changed my mind in two or three weeks to let them know.

Q. But you are quite sure the position Mr. Stephens now occupies was never offered you? A. I do not know what position Mr. Stephens occupies.

Q. He is Chief Engineer of this Grand Trunk Pacific? A. I was never offered anything in connection with the construction of the transcontinental road.

Q. Or the location of it? A. Or the location of it.

Q. You are definite upon that? A. Yes."

Mr. Hays in his further examination held on the 20th July, referring to the offer of $4,000 to Mr. Lumsden said:—

"There has been a great deal said, Mr. Mowat, about Mr. Lumsden and that offer of $4,000. If any more would have suited Mr. Lumsden better he never mentioned the question of salary. He did not enter into it at all. He had a better position. If he wanted more than $4,000 he never mentioned it."

Mr. Hays, without further effort to obtain the services of a Canadian engineer to take charge of the work, on the 2nd day of December, 1902,

wrote to J. W. Kendrick, third Vice-President of the Atchison, Topeka & Santa Fe Railway, Chicago, Illinois, as follows:

"December 2nd, 1902.

"DEAR MR. KENDRICK,—You have undoubtedly read in the press plans for the extension to the Pacific Coast. Do you know of any one whom you can recommend to me as a good man for probably assistant engineer in connection with that work. I want some one who is honest and trustworthy, with good experience as locating engineer, and somewhat familiar with the character of the country to be traversed, and it has occurred to me to trouble you about the matter because of your long experience on the Northern Pacific and probable acquaintance with engineers having the qualifications referred to. Do you mind saying to me confidentially what you know of Mr. Graham, formerly with the Northern Pacific, I believe, and now with the B. & O. I do not know him personally at all, but his name has been given to me as one who would meet our requirements.

I hope I am not troubling you too much in this matter, but shall be glad to reciprocate in any way opportunity may offer."

Yours truly,

CHAS. M. HAYS."

In reply Mr. Hays received the following letter:—

The Atchison, Topeka & Santa Fe Railway System,
Third Vice-President's Office.
At Los Angeles, Dec. 9, 1902.

"*Personal and Confidential.*

Dear Mr. Hays,—Replying to your personal letter of December 2nd, I believe that Graham is a very good man, and that he would satisfactorily fill the position.

We have in our employ a man named J. R. Stephens; Mr. McHenry, Chief Engineer of the Canadian Pacific, can tell you about him, as he worked under McHenry for some years, but I also know him very thoroughly. He is about thirty years of age, a graduate of Stevens Institute at Hoboken, and I consider him a very competent man. He has had a great deal of experience in the West, and served for a time on the Northern Pacific, having charge of some of its difficult mountain work.

Stephens can probably stay with us as long as he wishes to; Mr. Dun, our Chief Engineer, told me that he thought of bringing him to Chicago (he is now in Oklahoma), and put him in the office as Assistant, but as I feel very kindly disposed towards him, I should be glad to assist him in improving his condition. Should you care to address him in connection with the subject referred to, you can do so in care of James Dun, Chief Engineer, Atchison System, 77 Jackson Street, Chicago, Ill.

I give you Mr. Stephen's name because it is quite possible that you may not be able to secure Mr. Graham on account of his connection with the Baltimore & Ohio. No one else occurs to me at this writing.

Yours very truly,

(Sgd.) J. W. KENDRICK,
Third Vice-President."

"Mr. Chas. H. Hays,
Second V. P. and G. M., G. T. Ry.,
Montreal, Que.

Failing to obtain Mr. Graham, who is an American, Mr. Hays telegraphed Mr. Stephens to come to Montreal, and offered Mr. Stephens the position of Assistant Chief Engineer of the Grand Trunk Pacific Railway at a salary of $6,000, which was increased to $7,500, and accepted. Mr. Stephens accordingly entered the service of the Company on or about the 20th February, 1903. Mr. Stephens is an American citizen and was not personally acquainted with this country nor with Canadian engineers residing in Canada, his whole life having been largely spent in the United States with the exception of two or three years he spent in South Africa. Both he and Mr. Hays state that when he was engaged he was told that this being a Canadian work and other things being equal, Canadian engineers should have the preference, that the Company desired first the question of capability, merit, and experience to govern in selecting the men, but that being equal the Canadians must have the preference. Mr. Hays added in his examination:

"That, I may say, is our policy, and has been my policy in connection with the operation of the road since I have been here. Canada has been somewhat unfortunate in respect of having a very small territory to draw from in any work of great importance where we wanted to get the latest ideas, and I think it is in the interest of Canadians, and Canadian works that in everything we do we should get the best and latest experience and information to carry it out. Where you are building a house, a hotel, a manufactory or a railway it is the interest of every one that the latest expert knowledge and experience should be brought to bear in conducting the work. That is our position and has led us to send outside of the country to get that information which could not be had here."

In answer to the question:—

"But have we no men in Canada quite as well qualified to do this work?" Mr. Hays stated:—"There are naturally men of that character, but they are all very busy, and disinclined to give up their present occupations."

He was further examined as follows:—

"Q. I have gone over a list of 100 applications from Canadians in your office? A. Yes.

Q. Of course you did not go into the qualifications of each individual when they applied? A. The head of the Department, Mr. Stephens, would do that.

Q. Now, if your policy has not been carried out your instructions have been disobeyed? A. That is a natural conclusion.

Q. And the carrying out of the policy has been left in Mr. Stephens hands? A. Just so.

Q. I suppose the fact of his being an American would have an influence with him as to the appointment of persons whom he would employ? A. That is a matter for you to judge yourself."

Mr. Stephens explained as to his employment by stating that he was telegraphed for by Mr. Hays, and has been in the employment of the Grand Trunk Pacific Railway since February, 18th, 1903. His examination as to his salary is as follows:—

"Q. How much salary was offered to you by Mr. Hays when he employed you? A. He offered me $6,000 a year."

Q. And that is the salary being paid you now? A. Yes."

I subsequently examined Mr. Walker, the auditor of the Grand Trunk

Railway, with reference to the salaries paid to the different officers, and I found that instead of $6,000 being paid to Mr. Stephens as he swore, he was receiving $7,500. Subsequently I examined Mr. Stephens as to Mr. Walker's evidence as follows:—

Q. You told me the other day as to your salary being $6,000 a year; Mr. Walker brings it in as $7,500; is that correct? A. The remark I made I would like to quote, I was offered $6,000 a year.

Q. You wished me to understand your salary was $6,000? A. No, I misunderstood you only.

Q. What is your actual salary? A. $7,500."

Appointment of Harbor Engineer.

On the 30th May I examined Mr. Stephens with reference to the appointment of engineers in connection with the work, and was informed by him that up to that time he had appointed three division engineers, namely G. A. Kyle, G. A. Knowlton, and C. C. Van Arsdol; Kyle and Knowlton having been employed in March, 1903, and Van Arsdol in August, 1903, that these three men were from the United States, although he claimed Mr. Knowlton was a Canadian, that he also appointed a Mr. Colladay engineer in charge of a party, from the States, and Mr. Goodman, draughtsman, in his own office, who had been appointed while in the United States by Mr. Kyle and subsequently promoted from Winnipeg at an increased salary to the head office in Montreal, that he had also appointed a Mr. Bacon as Harbor Engineer. The evidence with respect to Mr. Bacon is as follows:—

"Q. Where is he? A. He has been looking over the harbor business, he is on the railway survey in connection with the Grand Trunk Pacific.

"Q. Where is he from? A. I cannot say, I think from Florida.

Q. How long has he been here? A. Since last August.

Q. What do you pay him? A. We pay him $300 a month.

Q. Is he an engineer? A. Yes, he is a specialist.

Q. What is his name? A. James H. Bacon.

Q. What is the nature of his special work? A. Looking after harbor propositions; he is not a railway engineer at all.

Q. Where is he a graduate from? A. I could not say.

Q. Is he up in years? A. I do not know that he is a graduate, and I do not know his nationality, he may be an Englishman; he is at Port Arthur.

Q. Is his work such as it would be impossible to get any one in Canada to do it? A. Well, I think it would be difficult to do so for this reason, when I started here I asked several of the prominent engineers to accept a similar position, and they invariably told me they were fully occupied at better wages than we could pay them.

Q. Is your knowledge of the engineers in Canada sufficiently wide to let you know whether they could fill these positions? A. Personally?

Q. Personally? A. I might be weak on that point. I have consulted Mr. Tye and others and took their advice, and Mr. Tye informed me he would be perfectly willing at any time to testify in writing or verbally that I had employed every Canadian engineer he had recommended.

Q. Still you did not limit yourself to employing only those he recommended? A. No, I would not do that.

Q. Now, is not $300 a month a pretty good salary for an engineer? A. Yes, but it is only a temporary job.

Q. Supposing Bacon is an American citizen, could you not have ob-

tained a Canadian equally well qualified to do the work he is doing? A. I have made an effort.

Q. Now, can you tell me from whom you enquired about a man to do the work which Mr. Bacon does? A. No, it is a matter of general talk.

Q. Have you consulted Mr. Tye? A. No, I never talked to Mr. Tye of this harbor man.

Q. Can you remember any one? A. No.

Q. Have you had applications from Canadian engineers who have been declined? A. Yes, we have had some we have declined."

Being cross-examined on the 4th July with reference to the above statements Mr. Stephens stated the only persons he remembered appointing on Mr. Tye's recommendation was Mr. Alexander McLennan, as assistant engineer in charge of the party north of North Bay. He was then examined with reference to Mr. Bacon:

"Q. Will you tell me the names of the civil engineers whom you did ask to take Mr. Bacon's place: before you answer that I will read what you said: 'When I started here I asked several of the prominent engineers to accept a similar position, and they invariably told me they were fully occupied at better wages than we could offer them'—does that refer to Mr. Bacon? A. I wish to correct that testimony; we had an engineer in Mr. Bacon's position in the west before Mr. Bacon came, and he resigned that same work.

Q. Then I understand you to say this answer you gave is not correct? A. I would like to correct that.

Q. In what way? A. I would say we had an engineer in the west looking up harbors. His name was Mr. J. H. Gray, and he looked up the matter of harbors.

Q. But you see, Mr. Stephens, the question asked you was very clear, 'Is his work such as it would be impossible to get any one in Canada to do it'? And you answered, 'Well, I think it would be difficult to do so for this reason, when I started in here I asked several of the prominent engineers to accept a similar position'—Now, who were those prominent engineers you asked as harbor engineers, or if you don't think that answer correct? A. That answer is incorrect, I did not intend to answer it in that way.

Q. In what way did you intend to answer? A. I simply meant to state the position was a difficult one to fill, that we had a man engaged on there, but he resigned, and after he had resigned I made arrangements with Bacon.

Q. But you said, 'When I started here I asked several of the prominent engineers.....and they invariably told me they were fully occupied''—there is no man in that? A. I meant that entirely different from the harbor proposition, I meant it with reference to division engineers.

Q. Now, then, that being the case and so correcting your evidence in that respect, what prominent engineers did you ask to accept the position of division engineers say at North Bay, at Winnipeg or Edmonton, at a salary of $4,000, mentioning to them the salary, who were the prominent engineers? A. There were three: we had there Mr. Kyle, Mr. Knowlton, and Mr. Van Arsdol. I asked Mr. Leonard, Mr. Smith, and Mr. Alexander Stuart to accept these positions.

Q. Mr. R. W. Leonard, Mr. Cecil B. Smith, and Mr. Alexander Stuart, what was the result? Did Mr. Leonard accept? A. He did not.

Q. Did he refuse? A. He did.

Q. Did Mr. Cecil B. Smith refuse to accept? A. He did.

Q. Did Mr. Alexander Stuart refuse to accept? A. He accepted, but before I had consummated the arrangements with him the Company he was with raised his salary and retained him. He told me he was perfectly

willing to come with me and admitted the obligation, but I stated I would excuse him because he was getting more than I would offer him.

Q. Where is he now employed? A. I think he is assistant engineer of the Great Northern under Mr. Hill."

I examined Mr. Bacon in Winnipeg on the 8th June, 1904, as to his appointment when he gave the following evidence:

"Q. You are now employed on the Grand Trunk Pacific? A. Yes.

Q. In what capacity? A. In harbours and terminal sites.

Q. That is your exclusive work? A. Yes.

Q. When were you appointed? A. I was appointed last August, 1903.

Q. Do you remember how you came to be appointed? A. I received a telegram from Mr. Stephens asking me if I would accept a position.

Q. Where were you employed at that time? A. In the United States as a member of the U. S. Government survey on rivers and harbours in Georgia and Florida.

Q. Would you mind telling us whether you improved your position by coming? A. I improved it slightly, yes.

Q. Do you know how Mr. Stephens came to telegraph you? A. It is stated in the telegram that Lederle had informed him.

Q. And finally what terms were agreed upon as to amount of salary and as to length of employment? A. There was no agreement as to length of time, it was stated my employment should last three or four months, and the salary was to be $300 per month and expenses.

Q. And you are now getting $300 per month? A. Yes.

Q. How long have you been employed in the hydrographic service of the United States? A. About 15 years.

Q. That has been your special calling? A. Yes.

Q. Any employment in connection with the locating or building of railways? A. Not during that time.

Q. Has your experience extended over tide water as well as lake water? A. Tide water only.

Q. What were the terms of your engagement in the United States? A. It was practically a permanent position as long as I chose to keep it.

Q. And you did not sacrifice it by coming here? A. Oh, no, I obtained a leave of absence, my employment here was only to run three or four months, and that was understood at the time.

Q. And that leave of absence has been continued? A. No, it has expired.

Q. Are you a citizen of the United States? A. Yes, I am.

Q. Always lived there before you came to Canada? A. Yes."

I accordingly on the 5th July, 1904, reported Mr. Bacon as in my opinion coming within the Alien Labor Law.

Appointment of Divisional Engineers and Clerks.

Mr. Stephens had in his examination as to the employment of engineers previously given the following evidence:—

"Q. Have you visited the United States in your endeavors to get men? A. No, sir. I never attempted it, never thought of it, that is the very last idea that ever entered into my mind. This is one thing I am certain of.

Q. Did you personally invite any one from the United States to come over? A. Yes, after I had exhausted every effort to get others here.

Q. Because you could not get Canadians to do it? A. Yes.

Q. Do you know whom? A. I invited Kyle: I invited Van Arsdol, I did not invite Knowlton.

Q. Did you invite Mr. Nutting? A. I do not know, as I said.
Q. You did not invite Mr. Colladay and Mr. Bacon? A. No.
Q. Mr. Goodman? A. No.
Q. Any other engineers? A. Not to my knowledge.
Q. Do you know of any one who has been invited, outside of yourself of course,—you were invited yourself, I think Mr. Hays invited you? A. Personally? Let me answer the first question: I do not know of any except those I mentioned.
Q. You do not know of any one in whom you had an interest in bringing here? A. Not invited.
Q. And Mr. Hays invited you to take your present position? A. Yes."

On the second day of his examination Mr. Stephens gave the following evidence:—

"Q. Now, I was going to ask you something about the correspondence, but have not gone through the whole of it, and there is no necessity in taking up any more of your time till I get all the correspondence, one thing about which you are very emphatic, that is you have not in any way invited American engineers? A. On the contrary I want to be very emphatic on that point. I have absolutely as far as possible declined all the suggestions and offers we have had, and when you look through the correspondence you will see that has been done, and I never contemplated such an idea, and never thought of it.
Q. Have you ever visited the States with a view of getting any of these engineers? A. Absolutely no.
Q. While in Chicago on your visit there have you asked to be put in communication with any engineers? A. No, it was accidentally, simply passing through Chicago, and got into conversation with engineers, just the same as I would talk to Canadian engineers if I met them.
Q. But you never suggested their making application? A. Never asked them.
Q. I understand you to be very emphatic about that? A. I talked about the work in general conversation, but I never went there for the purpose of employing any American engineers."

My examination of Mr. Stephens as to the employment of his Chief Clerk is as follows:

"Q. Mr. Mellen is your Chief Clerk? A. Yes, sir.
Q. Where was he before you employed him here? A. He was with me on the Santa Fe.
Q. And you employed him when you came here? A. He came up at the same time, or a few days later than I did.
Q. What was the result? A. I told him to go to work, and I put him on the pay roll, that is all there was to it.
Q. That was after you were employed? A. Yes.
Q. And that was after you came here? A. Yes, he came subsequently.
Q. You do not know how soon? A. Within two weeks.
Q. What salary does he get? A. $125.
Q. Have you any other man on the survey parties from the Santa Fe Railway? A. None others than I have mentioned; there are myself, Mr. A. G. Allan, Mr. Hancook, who has gone, Mr. Mellen.
Q. That was all? A. Yes.
Q. These came from the Santa Fe? A. Yes, they worked on the Santa Fe Railway."

Subsequently I discovered Mr. Mellen's salary had been increased $25 a month, thus making it $150 per month, although Mr. Stephens had stated

it was only $125 per month. On his attention being called to that fact he admitted that it had been increasd, and that he was now receiving $150 per month.

After examining the correspondence with reference to the employment of the engineers I continued Mr. Stephens examination on the first June as follows:—

"Q. Now, with reference to the employment of the different engineers, you stated Mr. Kyle was an American, he was employed in the States by you? A. Yes.

Q. You urged his appointment? A. Yes, I asked him, subsequent to my interview with Mr. Smith.

Q. Who is Mr. Smith? A. Chief Engineer of the power plant at Niagara Falls.

Q. What has he to do with the appointment of engineers on this Grand Trunk Pacific? A. Nothing whatever, except he was offered the position before Mr. Kyle came. He refused.

Q. Who offered him the position? A. I did.

Q. Have you any letters showing you offered it to him? A. No, it happened in Mr. McGuigan's office. Mr. McGuigan introduced him to me, and we had a talk and he declined the offer.

Q. When was that, do you remember? A. It must have been in March, 1903.

Q. I find among the correspondence a telegram from you to Mr. Kyle dated 11th March, 1903—he was at that time in the Northern Pacific office, Tacoma, Washington—offering him $4,000 a year for two years' work, do you remember sending that? A. Yes.

Q. This was after you offered the position to Mr. Smith? A. Yes.

Mr. Kyle sends the following telegram:—

"Will accept position offered, if can get Western position and salary is commensurate with position"—you answered it by offering him the $4,000, and asking him when he can report here? A. Yes.

Q. Then on the 11th March, 1903, he answered by telegram as follows:

"'Will report as soon as can arrange to have my position filled. Will let you know soon as can.' A. Yes.

Q. You replied on the 12th March, the next day,

"'All right, can you get Van Arsdol as Assistant at $175 and expenses'? A. Yes, Van Arsdol declined that offer.

Q. You wanted to get Van Arsdol here too? A. Yes.

Q. As Mr. Kyle's Assistant? A. Yes.

Q. That same Van Arsdol is now Division Engineer at Edmonton? A. The same man.

Q. Then Mr. Kyle telegraphed you on the 13th March:—

"'Darling says cannot relieve me until 25th inst., will that answer? If not will endeavor hurry matters'? A. Yes, I remember having received that.

Q. You replied on the 14th March, 'All right, 25th will answer. What transportation will you require, and where shall I send'?—that was your answer to Mr. Kyle? A. Yes.

Q. Then you wrote and arranged about transportation for himself and family? A. Yes.

Q. And Mr. Kyle has been Division Engineer ever since with headquarters at Winnipeg, getting here about 2nd April, 1903? A. Yes."

Mr. Kyle was examined by me in Winnipeg on the 6th June and subsequent dates. He stated he had know Mr. Stephens since 1890 or 1891, that they had both been on the same road at that time, being the Northern Pacific,

he being locating engineer and Mr. Stephens construction engineer, and that that acquaintance had continued up to the present time; that in 1895 he went to South Africa on a telegram from Mr. Stephens, who had gone there about a year previously; that he remained there for three years, Mr. Stephens returning shortly before. He stated in his evidence that it was the policy of the company and his policy to appoint Canadians in preference to others, and that he has always carried out such policy. The evidence, however, conclusively shows that he did not carry out that policy as fully as he should and could have done had he so desired. One or two letters which he had written to friends in the States indicate clearly his mind with reference to Canadian engineers. On the 15th May, 1903, he wrote to Mr. Hugh Allen, Pocatello, Idaho, as follows:—

"Dear Sir,—I have just received your letter of the 26th April applying for a position on the Grand Trunk Railway. I am sorry to say at present there is nothing that I can offer you, as all of the parties are filled. The policy of the company is to use Canadians and English wherever we can do so consistently, but think that later on we will have to import some American brains in order to carry the thing out successfully. As soon as anything comes up I will be glad to let you know. I should think it would be about three months before there would be any liability of needing any more men."

On the 8th October, 1903, he wrote to Mr. Frank L. Davis, 1818 North High Street, Tacoma, Washington, as follows:—

"Dear Sir,—I beg to acknowledge receipt of your favor of the 1st instant. I am sorry that there is nothing I can offer you at present, but later on there might be a vacancy where I could place you, and will be glad to let you know if anything occurs. We are in the unpleasant situation where it is advisable to fill the minor positions with natives, and are therefore rather handicapped."

This feeling with regard to Americans and Canadians seems to have permeated those in the Winnipeg office about that time, for we find Mr. H. M. Goodman, an American citizen who had been brought from the States to Winnipeg by Mr. Kyle as chief draughtsman, and subsequently transferred from that office to the head office in Montreal by Mr. Stephens, in a letter dated 5th December, 1903, addressed to Mr. W. H. Hayden, Tacoma, Washington, writing as follows:—

"As to the possibility of your brother Charles securing a position on G. T. P. surveys I can advise you no better than have him apply to Mr. G. A. Kyle, Division Engineer, G. T. P., Winnipeg, Post Office Box 68, and have him state his Alaska experience, and what position he would like to try for. This is his bestchance , but I will say in advance that the Canadians are making a great howl against Americans taking away their jobs, so that the officials of the R. R. are filling what positions they can with Canadians, but they sometimes plug up their ears and take an American."

In consequence of the statements made by Mr. Stephens with reference to the offers made by him to Mr. Cecil B. Smith as above set out I wrote Mr. Smith as already stated, and in answer received from him the letter set forth in the minutes of evidence herewith, and Mr. Stephens was examined thereupon on the 4th July as follows:—

"Q. Did Mr. Smith refuse the position of Division Engineer? A. So I understand.

Q. There was a conversation between you? A. Yes, in Mr. McGuigan's office.

Q. Was Mr. McGuigan there too? A. I think he was.

Q. Anybody else? A. I don't think there was.

Q. Mr. Smith does not so understand it, and I have a letter written

on the 4th June, 1904; you will give what statement you like concerning it (letter read as in minutes of evidence); now in view of the very definite statement of Mr. Smith what do you say as to the memory of the subject and the interview—you will not contradict this? A. That letter is not in evidence.

Q. Only as to the statement, can he make such a statement? A. But that is not evidence.

Q. Have you made such a statement? A. No, I did not; I mean that Mr. Smith misunderstood me, and perhaps I misunderstood. My recollection of that interview is this, that I wanted to get Mr. Smith, and he spoke about his engagement there at Niagara Falls, and he said he was getting more money or as much; I understood he was getting some $3,600, and he said he had a fascination for railway work and would like to come with us, but that as he had his family and everything in shape at Niagara Falls he would prefer to remain there.

Q. That is what your recollection is? A. That is my recollection.

Q. Do you remember his coming back to get you down to terms? A. No, I do not.

Q. You do not recollect that "Later in the day I met him and Mr. McGuigan, and endeavored to obtain from Mr. Stephens a definite offer stating salary which he was prepared to give, but was not able to obtain anything definite?" A. I do not recollect anything about that.

Q. At that time had not $4,000 been fixed as the salary of a division engineer? A. It had.

Q. Did you mention that sum to Mr. Smith? A. I did.

Q. You think you mentioned it? A. I would say from the recommendation that I would be very glad to have understood it as he understood it, and to have had him for the Grand Trunk Pacific.

Q. On account of his reputation as engineer? A. Yes.

Q. I do not suppose you desire to go down on record here as saying that what Mr. Smith stated is not true, it is simply a matter of recollection? A. Just a misunderstanding between us."

Mr. Smith was examined on the 13th July with reference to this matter, as follows:—

"Q. There was something said by Mr. Stephens about his desire to appoint you; he spoke in a complimentary way of what he had heard of your achievements, and he said he had a desire to appoint you to a position on the Grand Trunk Pacific; do you recollect any conversation with him on the subject; how did you come to go to him if that was so, and when? A. Well, there was a meeting arranged for by Mr. McGuigan between Mr. Stephens and myself; I think that was in February, 1903.

Q. And you went to Montreal? A. Yes.

Q. And saw Mr. Stephens? A. Yes.

Q. Did you make it known to him that you would like a position on this staff? A. Well, that was the understanding of my trip there.

Q. I understood you had applied for a position in November, 1902? A. Yes, I had put in an application for the chief engineership in November; that was acknowledged by Mr. Hays.

Q. Was that the only position you would have accepted? A. No, not at that time.

Q. You would have been content with a division? A. Yes.

Q. Was an offer made to you in this conversation in February? A. No, there was no offer made to me.

Q. Tell us what occurred, what was the net result? A. Well, we had a short conversation about the employment of railroad engineers in general,

and he drew from me what my salary was at that time, and then he practically dismissed me, and said that as I knew salaries for railroad engineers were very low, and he had nothing to offer me that would be an inducement—

Q. And there would be no use— A. In making an offer, and I met him a few minutes later in Mr. McGuigan's office, and I endeavored to draw from him an offer just for the sake of having it, but he said there was no use in making an offer, and he did not care to do so.

Q. I think you will have to tell us then what was the sum you mentioned as being your salary? A. My salary at that time, that is the straight salary, was $3,600, but I have other engineering work that I am doing at the same time.

Q. And the moment he heard that he said there was no use in troubling about it? A. Yes.

Q. And you went back for the purpose of trying to get a definite arrangement? A. Well, that came up incidentally, I was waiting at Mr. McGuigan's office to speak to him before I left Montreal, and Mr. Stephens came in.

Q. You thought you would clinch it if it was possible to do so? A. I endeavored to do so, that was the idea.

Q. You say you talked with Mr. Stephens over the engineers and engineering problems in Canada? A. Yes.

Q. Did Mr. Stephens seem familiar with engineers in Canada and their work? A. I do not think so, not from the way he spoke, I don't think he knew anything about Canadian engineers. He referred to having a large number of applications in his hands. I said that of course I understood there would be no difficulty in getting lots of men.

Q. You have now improved your position? A. Yes.

Q. $4,000 would not be tempting? A. No.

Q. At the time you had that conversation with Mr. Stephens it would have been so? A. I would have accepted that position at that time."

I also wrote to Mr. R. W. Leonard with reference to the offer made to him, and in consequence of his reply I examined him on the 4th July with reference to same, when he gave the following testimony:

"Q. You have heard it stated that Mr. Stephens said he only employed American engineers on the Grand Trunk Pacific when he exhausted every effort to get Canadians? A. Yes.

Q. That he could not get Canadians to do it? A. Yes.

Q. You heard that statement? A. Yes.

Q. What is your experience of the matter or did you let it be known to him that you were available for employment on this railway? A. In the latter part of March 1903 I called on Mr. Hays who requested me to go and see Mr. Stephens, as he thought Mr. Stephens would like to see me. He sent one of the young men up from his office to introduce me to Mr. Stephens and Mr. Stephens discussed with me his proposed organization for his engineering staff

Q. You had never met Mr. Stephens before that? A. No. He stated he was thinking of appointing five district engineers to cover the whole territory, and asked me if I was available to take one of those positions. I told him I was, and he told me he was not then in a position to actually make the appointments, but he would communicate with me when he was.

Q. Did you leave him? A. I left him and left my address.

Q. Did you ever see him again, and did you ever hear from him? A. I did not hear from him, and a few weeks later when in Montreal I called upon him. He told me he had appointed his entire staff, and all his district engineers. I asked him if my name was amongst them. He said no.

Q. Then you accepted your present position? A. I accepted the position which I am in at present.

Q. I am told, in fact I think Mr. Stephens said, that he did offer you a position later on? A. In July 1903 I got a telegram from him which I have: "Montreal, July 16, 1903. If you are not permanently engaged I would like to get in touch with you." To which I replied from St. Catharines, "Am profitably engaged here, but not bound to reject better things." He answered July 24th, "Think can offer you division at $4,000. Can you meet me here, St. Lawrence Hall, Sunday, to talk over, returning Sunday night. If so pay fare and take receipt. J. R. Stephens."

Q. Were you in a position to accept that offer? A. I met Mr. Stephens in reply, and talked the matter over with him, but I told him that I could not afford to accept it.

Q. Could you have accepted it at that sum in April or June. A. Yes.

Q. You would have been willing? A. When I first applied."

Mr. Stephens during his examination on 1st June gave the following evidence as to the appointment of Mr. Knowlton as Division Engineer:

"Q. Then Mr. Knowlton was employed about the 22nd April 1903 by you as Division Engineer? A. I think so, it was about that time.

Q. Where was he when he was employed by you? A. He was with the New York Central.

Q. Did you ask him to go into the service of the Grand Trunk Pacific? A. I do not remember that, I asked his brother, his brother decided to accept a position on the New York Central as assistant chief engineer. Then the other brother came up and I had a talk with him and engaged him here.

Q. He was however in the employ of the New York Central when you employed him here? A. Yes.

Q. Do you know he is an American citizen? A. I do not know.

Q. Have you heard that he was? A. I do not know that he is an American citizen; I understand he is a Canadian; if he is an American I do not know; you will have to ask him."

Mr. Knowlton being examined at North Bay on the 27th June gave evidence as to his appointment, as follows:

"Q. How did you come to Montreal, Mr. Knowlton? A. The Chief Engineer of the New York Central wired me to report to Mr. Stephens in Montreal.

Q. Who is Chief Engineer of the New York Central? A. H. Fernstrum.

Q. Is your brother on that line? A. He is working there now.

Q. Because Mr. Stephens in his evidence before me in Montreal said that he had asked your brother to take employment on the Grand Trunk, and instead of his coming you were sent, is that correct? A. Well, I do not know anything about that. The first I knew about this was I received a telegram from Mr. Fernstrum.

Q. You were then in the employ of the New York Central? A. Yes.

Q. As Division Engineer? A. As Assistant engineer on maintenance of way and construction.

Q. At what salary? A. $200 a month and expenses.

Q. When was that? A. I think I went to work for them in January, some time in 1903, about the 16th or 17th January.

Q. And remained until——? A. Until April. I left Kerwinville on April 19th.

Q. And immediately reported to Mr. Stephens? A. Yes, sir.

Q. Did you inform him why you reported to him? A. I told him I had a wire from Mr. Fernstrum.

Q. You told him who Mr. Fernstrum was? A. He knew who he was, of course.

Q. Your brother's name was mentioned? A. I think it was.

Q. Where was Mr. Stephens when you first knew him in the States, on what line? A. That is personally on the Santa Fe, I have known of him for a good many years.

Q. You were on the Missiouri, Kansas & Oklahoma at that time? A. Yes.

Q. And from there you went to the New York Central? A. Yes.

Q. Your family were living in California? A. Yes, sir.

Q Since coming here you have had your family brought here? A. Yes.

Q. Did the Grand Trunk Pacific give you transportation for your family? A. Yes, sir."

With reference to his nationality he gave the following evidence:

"Q. You had been a resident of the United States for how long? A. 28 years.

Q. Before that I understand you had been in Canada? A. Yes, sir.

Q. Where were you born? A. Near the town of Knowlton, in the Province of Quebec.

Q. Were your people American citizens? A. No, sir, Canadian.

Q. You were ten years old then when you went with your parents to the States, to what State? A. Ohio.

Q. Is your father living? A. Yes.

Q. Is he an American citizen? A. Yes, sir.

Q. Do you know when he took out papers? A. I understand he was not obliged to take out any papers as his father was an American who had moved to Knowlton, Quebec, my father being six years old.

Q. And you understood he did not require to take out any papers? A. No.

Q. And I suppose during your residence in the States you had all the privileges and rights of an American citizen? A. Yes.

Q. Voted at different times? A. Yes.

Q. For the President? A. Yes.

Q. On several occasions? A. I think twice.

Q. And in the State elections? A. Whenever I was long enough in a place to gain residence I voted."

Mr. Stephens' examination on the 1st June was continued relative to the appointment by him of engineers. With reference to the divisional engineer at Edmonton, Mr. Van Arsdol, his evidence is as follows:

"Q. Then, as to Mr. Van Arsdol? A. You have Mr. Van Arsdol's record: I think he is an American; I know that.

Q. The first writing I find from you to Mr. Van Arsdol is a telegram dated the 30th June, 1903. He was at that time at Hoquiam, Washington. It is as follows:

"It may be can offer you position similar to Kyle's. If you are in a position to accept how soon could you come?" you remember sending that telegram? A. Yes.

Q. Now, on the 3rd July he replied from Leviston, Idaho, by wire as follows:

"Will accept offer if desired; can leave on ten or fifteen days' notice."

Then on the 14th July you wired him at Tacoma as follows:

"All right, will offer same terms as Kyle, provided you can arrange amicably with Darling. Please wire when you leave."

Q. You sent that telegram? A. Yes.

Q. On the 13th July he wired you from Hoquiam:

"I have wired Darling, and will advise you how soon I can leave."

Q. Who is this Mr. Darling referred to in these different telegrams? A. He is chief engineer on the Rock Island System. He was at the time chief engineer of the Northern Pacific.

Q. On the 20th July Mr. Van Arsdol telegraphed you:

"Have arranged satisfactorily to leave here about August 1st. Please instruct?". A. Yes.

Q. In answer to that telegram you wired on the 22nd July:

"All right, will wire where to report later." Then on the 25th July you wired Van Arsdol:

"Please report at Winnipeg as soon as possible, and advise this office. I have arranged for Chief Clerk."

Q. That is all the correspondence? A. Yes."

It appears in the evidence subsequently taken before me that the chief clerk Mr. Stephens had arranged for as telegraphed Van Arsdol was a Mr. Mellen, his own chief clerk's brother, whom he had invited to come from Arizona, and who was an American citizen, and had arrived at Montreal on or about the 15th July, ten days previous to this telegram to Van Arsdol.

It also appears from the evidence that previous to the appointment of Mr. Van Arsdol as division engineer at Edmonton, Mr. Stephens requested Mr. Kyle to enquire as to the ability and qualifications of Mr. John Woodman, engineer, Winnipeg, with a view of appointing him division engineer. Mr. Kyle gave the following evidence in connection therewith:

"Q. Who is Mr. Tye? A. Mr. Tye is chief engineer of the C. P. R.

Q. And who is Mr. Sullivan? A. The division man in Winnipeg on the C. P. R.

Q. Are they Americans? A. I do not think Mr. Tye is.

Q. There is no doubt about Mr. Tye and Mr. Sullivan being Americans? A. I do not know.

Q. Now, Mr. Stephens requested you to make enquiry about Mr. Woodman, his ability and qualifications as engineer, in July 1903? A. Yes, sir.

Q. What was the result of the enquiry? A. I think there was a letter that was written that showed that.

Q. A letter from Winnipeg, dated 31st July 1903, addressed to J. R. Stephens, Assistant Chief Engineer, Montreal. It reads:

'Dear Sir:

Answering your wire of the 27th inst., requesting me to look up John Woodman, civil engineer, as to his ability and qualifications for division engineer, I had a personal conversation with Mr. Woodman, and find that he now has an office in Winnipeg, and is making architectural engineering a specialty. Mr. Woodman was formerly division engineer on the C. P. R. in charge of maintenance of way located at Winnipeg. I enquired of Messrs Tye and Sullivan as to his ability, and both of them seem to agree that he was not a very desirable man. My only impression of him is that he would not be a satisfactory man as division engineer.

Yours truly,
(Signed) G. A. Kyle,
Division Engineer.'

Q. When did you enquire of Mr. Tye and Mr. Sullivan as to Mr. Woodman? A. About the date I got the letter.

Q. Where did you see them, was Mr. Tye here at that time? A. Yes.

Q. And that is what they informed you? A. Indirectly.

Q. What do you mean by indirectly, what did they say? A. Well, I was making enquiries as to his ability as division engineer.

Q. You were making enquiries as to his abillty as division engineer, whether he would be qualified as division engineer? A. Yes.

Q. That was before Van Arsdol was appointed? A. Yes.

Q. Had you been appointing a division engineer at that time? A. Yes, sir.

Q. Mr. Knowlton? A. Yes.

Q. But there was another division created subsequent to Knowlton's and that was at Edmonton? A. Yes.

Q. It was therefore with reference to Woodman's ability and qualifications as division engineer that you enquired of Mr. Tye and Sullivan? A. Yes, and understood from them he was not a desirable man.

Q. Can you give me their statement? A. This is the substance of it, in that letter, I cannot just remember the exact words.

Q. And your impression was in consequence of what they told you? A. I got my impression from conversations I had with Mr. Tye and Mr. Sullivan, and that was part of my idea. I had a talk with some others, I do not know with whom, I think Mr. Griffith.

Q. And you think Mr. Griffith gave you to understand he would not be a desirable man? A. That was the impression I got from my conversation.

Q. Did Mr. Griffith give you any explanation as to what he thought of Mr. Woodman's qualifications and ability? A. He was in some of the work for him.

Q. Where? A. On the C. P. R.

Q. Any others you recollect? A. I do not remember any others.

Q. And that was the report you sent to Mr. Stephens with reference to Mr. Woodman? A. Yes.

Q. How long after this was Mr. Van Arsdol appointed division engineer? A. I do not know exactly when Van Arsdol came, I think in August.

Q. August 10th 1903? A. Yes, sir.

Q. That is the only division that has been formed since then? A. Yes.

Q. Your letter to Mr. Stephens was dated 31st July, 1903, and Van Arsdol was appointed about 10th August, 1903? A. About that time."

John G. Sullivan was examined with reference to his statement to Mr. Kyle, and the following evidence was given by him:

"Q. What position had Mr. Woodman on the C. P. R. when you knew him? A. I did not know his title, I understood he was engineer in charge of maintenance of way.

Q. From Port Arthur west to the Rocky Mountains? A. I do not think so, yes, I think he was on the western division.

Q. Do you know anything as to his ability as division engineer? A. I cannot say.

Q. Would you say he was not a very desirable man for that position? A. It would be rather presumptiom on my part to say that, I do not know enough about the man, the only way you can learn a man's qualifications as an engineer is to have him working with you. Mr. Woodman is a friend of mine and I would not care about swearing whether he is competent or not.

Q. Never had any dealings with him as an engineer that would enable you to state his qualifications? A. No, sir.

Q. Did you ever state that he was not a very desirable man for division engineer? A. I don't think I did, not in that many words; I mean to say that our company did not try to keep him when he left. He was not kept by our company.

Q. You did not use the term that he was not a desirable man as division

engineer? A. I don't think I did.

Q. You did not tell Mr. Kyle? A. I may have told Mr. Kyle of the circumstances, I don't think I used these words.

Q. Mr. Kyle wrote: "I enquired of Mr. Tye and Mr. Sullivan as to his ability, and both seemed to agree that he was not a very desirable man?" A. That might be, they might seem to agree.

Q. Did you agree to the statement that he was not a very desirable man? A. We may have given that impression.

Q. What did you state to have given that impression? A. I do not know, the only thing I can say, he evidently did not give satisfaction to this company.

Q. Do you know that he did not give satisfaction to the company? A. I was led to suppose that.

Q. By whom? A. By certain remarks. I think I heard rumors in Montreal that he was the lightest division engineer they ever had.

Q. From whom did you hear that in Montreal A. I think I heard it from several.

Q. Who were they? A. Mr. Tye, Mr. McHenry.

Q. So that your opinion as to his qualifications is that he was not competent nor had sufficient ability for a division engineer on the Grand Trunk Pacific? A. I do not think Mr. Woodman has the qualifications for the reason that a division engineer on the Grand Trunk should be a fairly good locater.

Q. And you have not the slightest experience of what he is able to do? A. I did not consider that.

Q. That is the position, you have not the slightest knowledge of his ability as an engineer, and yet you undertake to say that he is not a desirable man? A. You ask me my opinion?

Q. What is the fact? A. Well, I did know that Mr. Woodman had done very little locating, and one cannot locate without experience.

Q. What locating has he done to your knowledge? A. I do not know.

Q. Therefore you cannot say, he may have done a great deal besides what you know—is not that a fact, we must only get at facts? A. Well, you asked my opinion.

Q. I ask you for your opinion founded on facts, not mere rumors, that is not evidence at all—I want evidence? A. Why did you ask me for my opinion?

Q. Because you gave your opinion to Mr. Kyle and I am entitled to know on what basis you formed that opinion, you say you have no knowledge of his locating work as an engineer, and yet in your opinion he is not a desirable man for locating engineer? A. Engineers are somewhat like other men, and we know any man who has made his mark in his line."

Mr. Woodman in his examination stated that his first experience was in 1884 in connection with the construction of the C. P. R., on the north shore of Lake Superior, until 1895, when he came up to Manitoba and went on surveys of the Manitoba and south-western lines, and was engaged in the survey and construction of these lines, and since then he had been engaged on the maintenance of way, rather, the Bridge and Building Department of the C. P. R., and then on maintenance of way on the North Bay and Manitoba lines, and was finally appointed division engineer on the C. P. R. in 1897 for the western division comprising about one-half the mileage of the whole C. P. R. system from Lake Superior to the summit of the Rockies, close upon 4000 miles. He remained division engineer until the division was split in two in 1903. Since then he had been in private practice.

"Q. Did you apply for a position on the Grand Trunk Pacific? A. No

sir, I never applied for any position on the Grand Trunk Pacific.

Q. And how is it your name was mentioned? A. I do not know how my name was mentioned to Mr. Stephens. I had no correspondence with the Grand Trunk Pacific or any of their engineers.

Q. Were you looking for a position at all? A. I was just starting for myself at the time, and I was open to engagements if a satisfactory offer was made.

Q. Would $4,000 have been a satisfactory offer? A. I think I would have considered that was at the time.

Q. And accepted it? A. Yes, although I do not regret it since.

Q. Were you aware that your name had been considered? A. I never understood it had or had not been; I was a little suspicious when Mr. Kyle came to my office one day last summer as to his feeling about it, but he never intimated directly that my name was being considered, nor that there was a vacancy as Division Engineer."

Mr. Woodman who was re-called after the evidence had been given by Mr. Sullivan, was examined in connection with that, and the following evidence given by him:

"Q. Mr. Woodman, yesterday we had Mr. J. G. Sullivan here, and Mr. Sullivan in his examination as to his opinion on your qualifications as an engineer was not altogether complimentary, and he made some slighting remarks about you, but as I gathered from the evidence they were more from what he heard than evidence; will you let us know what you have to say as to your employment on the C. P. R., he having quoted Mr. McHenry as authority for his statement about you? A. Mr. Sullivan called me up last evening and apparently wanted to apologize for the remarks he had made and smooth things over with me. I asked him what the statements were and he told me he regretted having made them. I merely knew Mr. Sullivan as a brother officer, in the C. P. R. Our duties did not bring us in close touch at all. He had the construction department, I the maintenance of way; so it was a great deal of presumption on Mr. Sullivan's part to give his evidence.

Q. He rather wished to call attention to your lack of locating knowledge? A. In that he was expressing an opinion about a matter he knew nothing about. I have worked for two of our best men, George Winston on the North Shore of Lake Superior and E. H. Stuart. I came out to this country with Mr. E. H. McHenry of the C. P. R.

Q. To this western country? A. Yes, was on their location on the western branch. We spent the entire year under canvas. We commenced in November and got through our work on the following November on that particular occasion. We located and built extensions from Elm Creek, which I think is one of the best lines the C. P. R. have in the country to-day, and we built a line from Manitou west. The Manitou crossing is one of the heaviest gradients we had in the country. If Mr. Sullivan had known this he would not have expressed himself as he did. I might say I went through the preliminary survey between Regina and Saskatoon on the Prince Albert road, and then from there on a number of minor branches. I succeeded Mr. Stuart on his death here, and though the company were not locating a great many lines there I had the entire charge of the location and construction of the smaller branches."

The following letter was then read, written by Mr. E. H. McHenry to Mr. Woodman, dated 17th March, 1903:

"I am sorry that your personal feelings in this matter prompted you to tender your resignation, and trust you will secure a position elsewhere that will be more to your liking. On the part of the company and myself I wish

to express my appreciation of your knowledge and ability in carrying out the extensive and important works under your care over so great a proportion of the mileage of the C. P. R. system, and I hope you will feel at liberty to ask me for any favors desired in the way of references, testimonials or otherwise.

(Sgd.) E. H. McHENRY,
Chief Engineer."

Mr. WOODMAN: I did not ask Mr. McHenry for that letter. I have a letter written in a similar strain from Sir Thomas Shaughnessy.

Q. To what did he refer in mentioning personal feelings? A. The decision, I suppose, not to remain with the company after the splitting up of the division. I had what I considered the best division of the road, comprising as I said yesterday nearly 4000 miles, and I think occupying the position that I did would have been quite sufficient for Mr. Stephens and Mr. Kyle without discussing the matter with American friends who were here instead of taking up the matter with me. When Mr. Kyle came to my office last year when he was looking for information regarding the country, if there was any position open he might have mentioned it, but he may have his own reasons for not offering it to me."

Mr. Woodman produced the following letter, a subsequent letter from Mr. McHenry, addressed to Mr. Kendrick, dated Montreal April 2nd, 1903:

"Mr. J. W. Kendrick,
Third Vice-President, A. T. & A. F. Ry.,
Chicago, Ill.

Dear Mr. Kendrick:

This will introduce Mr. J. W. Woodman who has been many years in the service of the C. P. R. Company acting in the capacity of division engineer. He has voluntarily resigned his position with the Canadian Pacific for personal reasons, and desires to re-engage with your company if possible. During his service with this Company he had charge of a great variety and amount of important work within the limits of the western division, which comprises nearly one-half the mileage of the system, or about 4000 miles. I can conscientiously recommend him to your favorable consideration.

Yours truly,
(Sgd.) E. H. McHENRY,
Chief Engineer."

Q. That was given by Mr. McHenry on the date mentioned? A. Yes."

Appointment of Office Engineer

The examination of Mr. Stephens was continued as follows:—

"Q. Then as to Mr. Allan who is office engineer at Winnipeg, you say he is an Englishman? A. He is English.

Q. Where was he when you employed him? A. He was with the Santa Fe.

Q. You had known him there, you were on that road at the same time? A. Yes, at the same time.

Q. You also wrote asking him to come? A. Yes.

Q. In fact you went out of your way and wrote to his superior officers to relieve him so that he would come? A. I believe so.

Q. There is a telegram dated the 11th April 1903 from you to A. G. Hemstreet, Eastern Oklahoma office, Guthrie, Oklahoma, U. S. A.:

"Mr. Dun wires, Will consider my application for A. G. Allan. Kindly ar-

range if possible." Who is Mr. Hemstreet? A. He is engineer in charge of construction on the eastern Oklahoma Railway, which is a part of the Santa Fe System.

Q. On the 22nd April Mr. Hemstreet replies to your message:

"Will release Allan on May 15th"? A. Yes.

Q. Then on the 17th April you received a telegram from Allan, "My resignation sent Hemstreet yesterday, have written you"? A. Yes.

Q. Then you received a letter from Mr. Allan dated 16th April in which he explains that he interviewed Mr. Hemstreet and he was unwilling to relieve him. Mr. Allan says, "I agreed to stay till May 15th, so please rely on my being with you after that date." This letter covered a copy of a communication sent by Mr. Allan to Mr. Hemstreet dated NewKirk O. T., April 17th 1903, which reads as follows:

"Dear Sir:

I have been working under Mr. Dun continuously for nearly six years, have been entrusted with some large jobs, been promoted many times, so naturally do not feel very enthusiastic about leaving him, but Mr. Stephens is about to build a Transcontinental Railway with a lot of mountain work in an English Colony, and I feel will give me a good place at the front. If it will not inconvenience you I would like to go about May 15th, as I can arrange by that time to leave everything in firstclass shape." Then Mr. Allan had been there for several years? A. He has been in the States for a long time, I do not know how long.

Q. Do you know if he has become an American citizen? A. I do not know, I do not think he has become an American citizen.

Q. Then Mr. Dun, Chief Engineer, writes to Mr. Hemstreet:
"Dear Sir:

Mr. J. R. Stephens wired wanting to know whether we could secure him Mr. A. G. Allan after he finishes Osage Nation work. Will you kindly advise and find out whether Mr. Allan desires to go. I think we can give him a position fully as good as he now has after the Osage work is finished?" A. Yes.

Q. Then you enclosed him transportation, Chicago to Montreal, and do you know what day he arrived here? A. I cannot say, I could consult the records."

Mr. Alexander George Allan being examined at Winnipeg on the 21st June 1904 gave evidence:—that he was born in Madras, India, in 1865, and from there went to England, and lived there until 19 years of age, when he came to America, going out to Dakota territory first. His first experience in engineering was in 1885 or 1886, on some ditching work in Northern Colorado. He was educated for an engineer.

"Q. What was the last work you were engaged on in the United States? A. I was connected with the Atchison, Topeka & Santa Fe Railway.

Q. When did you become naturalized as an American citizen? A. 1898.

Q. Where at? A. At Coleraine, Colorado. I was Chief Engineer then for the National Land Irrigation Company.

Q. You are still an American citizen? A. Yes, sir.

Q. How long have you known Mr. J. R. Stephens? A. Mr. Stephens was appointed to the Santa Fe somewhere close to first October, 1901.

Q. And you were under him at that time? A. I was transferred from the maintenance of way to construction.

Q. He had charge of construction? A. Yes, for the territory of Oklahoma.

Q. How long did you remain under him? A. Until he left the Santa Fe in February 1903.

Q. Was he district engineer or what? A. Engineer in charge of construction; there is no such thing as district or division engineer. I was division engineer.

Q. And he was engineer in charge? A. Yes."

This Mr. Allan is the gentleman of whom a witness, Cecil Goddard, an engineer in Winnipeg, and who had been employed in the Grand Trunk Pacific office in Winnipeg as draughtsman, gave the following evidence:—

"Q. Well, now that I have asked this question will you let us know whether in your opinion there has been a distinct intention in the division office here to discriminate against British subjects, is that your belief? A. Mr. Stephens came here and told me to hold on, but when I saw the number of foreigners who came from the other side and put ahead of me I got discouraged, but was advised to still hold my position down. Mr. Allan I looked upon as a friend, but after what Mr. Kyle had told me at last I left.

Q. Are these all the facts on which you base that opinion? A. Well, in discussing matters here on different occasions there were very nasty criticisms made as to Canadian loyalty.

Q. Very nasty criticisms as to Canadian loyalty, by whom were the criticisms made? A. In general conversation.

Q. Between whom? A. Mr. Allan and myself.

Q. Those observations were made by Mr. Allan? A. Yes.

Q. As to Canadian loyalty? A. Yes, on one occasion when I requested a holiday for the 24th he wanted to know why we kept the 24th May, and I told him it was the King's Birthday, and he said "Why do you keep that blackguard's birthday"?

Q. You got hot? A. Yes, I did."

Although Mr. Allan was in the room when this evidence was being given and heard it, and was re-called as a witness subsequently he did not deny it.

Mr. Hays being asked about this conduct said "Certainly I should have very little use for a man who used that sort of language."

Appointment of District Engineer.

Mr. Stephens was further examined as follows:—

"Q. Then with reference to Mr. McNeil, District Engineer, you wrote to him to come? A. I think he was employed by Mr. Kyle, if I remember the matter right.

Q. Do you know where he was when he was employed? A. He was with the Great Northern.

Q. At what point? A. Somewhere in Montana.

Q. Havre, I think, is the name? A. Yes.

Q. Here is a letter from Mr. McNeil dated 8/9/1903, is that the 8th September or 9th August? A. I do not know what it is: the only thing I can account for Mr. McNeill is that Mr. McNeill was engaged on the 4th September. I am sure it was written in August because I remember asking Kyle about him.

Q. The letter here is dated Havre, Montana, 8/9/1903, and is as follows:—

"Mr. John R. Stephens,
"Assistant Chief Engineer, Grand Trunk Railway,
"Montreal.

"Dear Sir,—Mr. Alexander Stuart, Res. Eng., Spokane, advises that he has mentioned my name to you in connection with positions you have to offer as division engineers on the Winnipeg and Coast Division. As I understand the situation you wish to secure men to take charge of 500 miles division, and whose duties it will be to explore, locate, and construct the line. I beg to say I am severing my connection with this road to take effect just as soon as a successor can be secured, and am open for propositions from other roads....."

Q. Who is this Mr. Alexander Stuart? A. Mr. Alexander Stuart was offered a position here with a salary of $4,000, but when we made that offer they immediately raised him to $5,000, so he thought he would refuse us.

Q. He is still at Spokane? A. He is still with the Great Northern and Assistant Engineer.

Q. Upon receipt of that letter what did you do? A. I think Kyle took action. I was on the west coast, and the letter came to the office here and Mr. Kyle took action.

Q. He is, you have already stated, an American citizen? A. Yes.

Appointment of Assistant Engineers.

Q. Mr. Colladay wrote to you on the 13th March, 1904, from Decatur, Ill., and said, "I was sorry I did not get more of a visit with you while you were in Chicago, but of course circumstances were such that I could not? A. Yes.

Q. Then you wrote him on the 15th March as follows: "I am unable to say just when I shall be able to offer you a position, but will advise you later on. And then on the 2nd April you wrote—it appears in the meantime you had engaged him because you say, "I have requested transportation for you from Chicago to Winnipeg to be sent to you direct?" A. Yes, I met him in Chicago as I passed through that city the other day, and had a talk with him, and offered him a position. He re-placed a relative of Mr. Kyle's, Mr. Heaman (Mr. Stephens afterwards corrected himself by stating that he had intended Mr. Raymond Heckman instead of Mr. Heaman.)

Q. You stated further in your letter to him, "I can give you a position as locating engineer at a salary of $175 per month and field expenses, salary to begin after you report for duty. If this is agreeable please report to Mr. George A. Kyle, Division Engineer, Fort Garry Court, Winnipeg, Man., at your earliest convenience? A. Yes.

Q. He then replied on the 6th April as follows:—

"Decatur, Ill., April 6th, 1904.

"Yours of the 2nd inst. received and contents noted. I accept position as locating engineer at salary stated and will leave Decatur, Ill., on the 11th inst. for Winnipeg, Man., by Chicago. Thanking you very much for your offer, I remain,

"Yours very truly,

"(Sgd.) W. E. COLLADAY."

It appearing from the correspondence that Mr. Pim, who had been returned as a British subject, had been discharged from the service, and that Mr. C. F. Gailor was appointed in his place by Mr. Knowlton, Division Engineer at North Bay, the following examination took place:—

"Q. Do you know how Mr. Gailor was appointed? A. I did not know.

Q. You are not aware he is an American? A. No.

Q. Did he apply to you for a position, do you know? A. He may have applied to the office, but I have no personal recollection. Mr. Knowlton made the appointment."

Mr. Knowlton's examination in North Bay with reference to Mr. Gailor is as follows:—

"Q. Party number 7 is Mr. Gailor's, when was he appointed? A. I do not just remember the date, but it was in May or April, the latter part of April (1904).

Q. C. F. Gailor? A. Look at the pay roll and you will see it there.

Q. In your own office there is Mr. G. W. Stadly, Chief Draughtsman? A. Yes, sir.

Q. He, I understand, is an American citizen? A. Yes, he was employed at the Soo for a time....."

"Q. Now, with reference to Mr. Gailor you had not known him previously? A. No.

Q. I see a letter here from him to Mr. George W. Stadly, dated Schuylersville, N. Y., March 18th, 1904,—probably through the same source, the Syracuse agency—

"I am advised you are in need of a locating engineer and would like to furnish you with a little information concerning my ability, experience and character in this line, which enables me to make application for the position. Will say I have had seven years' experience in this line, and am perfectly familiar with all the details concerning location, construction, etc., and have just finished locating a trunk line through the mountains of West Virginia, for the Wabash System, and have many instruments and can furnish best of references, as I am strictly sober and reliable in every way, and am not afraid of hard work or rough country, as I have experience of these things. Was Assistant Engineer on 20 miles of work for the Rutland Street Railway Company, and can either give you letters of recommendation or refer you to my former employers, as I think they will give you good satisfaction, and report at once if you wish. Should I prove unsatisfactory after a fair trial it would cost you nothing for my services."

You wrote to him on the 5th April, 1904:—

"Dear Sir,—Your letter of the 18th ult. addressed to Mr. G. W. Stadly has been referred to me, and in reply will state that I have nothing to offer you. They object very seriously to employing men from the United States, and in view of the fact that the greater portion of my work is on the Government section I am obliged to act accordingly?" A. Yes.

Then Mr. Gailor wrote you from Mechanicville, N. Y., on the 12th of April, 1904, in answer to yours of the 5th:—

"Dear Sir,—Your letter of the 5th inst. has been received and contents fully noted. In reply will say that although I have been in this part of the country for some time I call my residence at St. Catherines, Ont., so do not consider I am a native of U. S. Should this be of any help to you in that line I would be pleased to hear from you further"? A. Yes.

Q. Then you wrote him in answer to that on the 21st April saying you expect to be in need of a locating engineer some time from the 1st to 15th May, and would like him to give answers in regard to the following questions:—

"Are you what we call a good bush man, and have you ever handled parties where supplies and camp outfit are handled by canoes and packers. You are probably aware that the country through which we are running lines is a wilderness at present, and any one taking a position with us must expect to endure maximum hardships. I am not making this statement to discourage any one taking the position, but I wish to state plainly what they must expect if they take on this work."

Then Mr. Gailor writes on the 23rd April answering that, and on the 26th April you acknowledged his letter and said,

"Your letter of the 23rd inst. to hand and I note what you say in regard to your ability to handle parties in a difficult country. I can offer you the following position in charge of preliminary and location work, salary $175 per month and expenses, after leaving North Bay, and transportation to North Bay from any point on the Grand Trunk system you may designate."

On the 28th April, 1904, he writes:—

"I accept your offer and will come as soon as you give me notice. So think it would not take longer than three days after starting."

You write him in answer. "I enclose transportation from Niagara Falls to North Bay. Niagara Falls is our nearest point to Buffalo, as we have running rights only in that city. I will wire you when to leave."

On the 10th May you telegraphed at Mechanicville, N. Y.:

"Arrange to report North Bay as soon as possible."

Q. That forms the contract with Mr. Gailor? A. Yes.

Q. In employing Mr. Gailor you accepted his word as to his experience and ability? A. Yes, sir.

Q. You did nothing else than that? A. Nothing only that I knew the country he had been through, having been through it myself, and I was satisfied he had the experience that would enable him to handle a party here.

Q. Where was Mr. Gailor at the time he was employed? A. I think in New York or Pennsylvania.

Q. He was the gentleman who applied to the engineer Employment Agency in answer to the advertisement which Mr. Stadly had inserted in that paper? A. I do not think there was any paper or advertisement attached to the agency.

Q. What was the nature of the agency? A. There are several of these agencies throughout the country. A man just puts his application there and they correspond with him if anything turns up.

Q. How did Mr. Stadly come to try the agency. A. I do not know, only he has an application there himself I believe.

Q. In consequence of Mr. Stadly's action you received a number of letters? A. He received letters.

Q. And handed them to you? A. Yes.

Q. What steps did you take? A. I took no steps.

Q. In consequence of their being American citizens? A. Yes.

Q. What about Mr. Gailor? A. He wrote me his home was in St. Catharines.

Q. When did he actually write you that, now look over his first letter and see, he does not say that he is not an American citizen? A. I think so, I am not sure.

Q. Read that letter and see exactly what he does say. "Although I have been in this part of the country for some time I call my residence at St. Catharines, so do not consider I am a native of the United States." A. He does not say he was an American citizen.

Q. He does not say he is a British or Canadian subject? A. He has not been frank.

Q. That is you told him you could not communicate with any one who was an American citizen? A. Something like that.

Q. As a matter of fact he was then and is now an American citizen? A. I do not know, all I can say is if I had known I would not have given him a position here.

Q. How soon would it take to get him in here? A. About three weeks.

Mr. C. F. Hannington, District Engineer at North Bay, gave the following evidence:—

"Q. Do you know Mr. Gailor? A. Yes, I took him to the line the other day.

Q. Is he an American? A. He told me the other day he was born in the Eastern States.

Q. Did he tell you he had ever taken out papers in Canada? A. I did not ask him."

Mr. John Armstrong, Engineer of St. Catharines, testified before me at Toronto as follows:—

"Q. A Mr. Gailor was appointed in charge of party number 7, assistant engineer up near Port Arthur, at $175 a month. When he applied he was told by Mr. Knowlton that as his division was within the Government section that he had to be careful about the appointment of Americans and that that would be in his way. Mr. Gailor wrote back saying, "I call myself of St. Catharines, if that will do me any good," and a few days afterwards Mr. Gailor was appointed in charge of this party—do you know Mr. Gailor? A. I do.

Q. Where did you meet him and what do you know of him, and is he of St. Catharines or is he an American citizen or a British subject or, what do you know of him? A. He was assistant engineer for me on the Hudson Valley Railway.

Q. New York State? A. Yes, had charge of six miles there on construction.

Q. What had his previous attainments been? A. Before I put him in charge of the six miles he was a transitman.

Q. Somewhere else in the States? A. No, on that line, transitman for me.

Q. And where did he come from? A. He came from Mechanicville, N. Y.

Q. Was he an American subject? A. Yes.

Q. And not of St. Catharines? A. No, had never been there.

Q. Is he a man of attainment as a locating engineer in charge of a party? A. I would not say that he could assume that office.

Q. When was he employed by you? A. In 1902.

Q. And when did his employment cease with you? A. It terminated in 1902.

Q. Then did you ever hear from him after that? A. Yes, he went to Rutland and was engaged on an electric railway there in Rutland, and I fancy that is how he came to meet Mr. Knowlton, and I think about a month or six weeks before he went north on the Grand Trunk Pacific he wrote me a letter applying for a position.

Q. Another position with you? A. Well, he did not specify where, but he had applied to me for a position and I wrote him at the time and told him I had not any opening for him.

Q. And that was how long before he was employed by Mr. Knowlton? A. I think about a month or six weeks previous to the time he went on the Grand Trunk Pacific.

Q. Under Mr. Knowlton? A. Yes.

Q. He is now receiving $175 a month and expenses, what was he receiving with you? A. As transitman he was receiving $90 a month, and when I put him in charge of the construction work I gave him $100.

WITNESS: I would like to make a remark if it is not objectionable; I do not see very well how Mr. Gailor could deceive Mr. Knowlton, they both came from the same place. There is no doubt in my mind that Mr. Knowlton employed Mr. Gailor because they were both in Rutland.

Q. Were they engaged in the same place in Rutland? A. Not on the same railroad.

Q. There is no doubt they knew each other? A. No doubt about it.

Q. You do not know whether they knew the nationality of each other? A. No, but I assumed that.

Q. I am desirous of knowing whether Mr. Knowlton knew Mr. Gailor in Rutland? A. I cannot answer that question.

Q. You do not know whether he knew Mr. Gailor in Rutland or not? A. No.

Q. What line was Mr. Knowlton on? A. He was on the line controlled by Mr. Webb, the Rutland road, but Mr. Gailor was on the Rutland Street Railway electric line.

Q. At the same time? A. At the same time.

Q. That is two years ago? A. Two years ago."

EFFORTS MADE TO SECURE AMERICAN ENGINEERS.

In further examination of Mr. Stephens at Montreal on the 1st June with reference to his actions in employing American citizens the following evidence was given:—

"Q. I understood you to say the other day that you did not do anything for the purpose of obtaining American engineers by visiting the States for them? A. No, I only know what has been done in that way as indicated in the correspondence.

Q. Which is indicated in the correspondence which I have read? A. Yes, with this exception that passing through Chicago once or twice I met some engineers and spoke to them.

Q. Here is a letter from Mr. H. W. Parkhurst, dated Chicago August 5th, 1903: do you know Mr. Parkhurst? A. Yes, I was introduced to him, the first time I met him in Chicago.

"Dear Sir,—Referring to your visit of this morning enquiring for competent locating engineers I take pleasure in introducing to you Mr. J. P. Coleman, who has been engaged with this Company for several years, and who is entirely familiar with location work, and who may possibly suit your purposes.

"Very truly yours,
(Sgd.) H. W. PARKHURST,
"Eng. of Bridges and Buildings."

Q. Is that correct? A. Yes, I went there and was introduced by an old friend, and I told him I would like to see Mr. Parkhurst personally, and I met him and he started this talk about locating engineers, and the matter came up incidentally.

Q. You did not call on him for that purpose? A. I did not go for this purpose.

Q. While you were there you made these enquiries? A. Yes, at the same time I saw Mr. Alexander Stuart and two or three others.

Q. You asked them to introduce you to a competent engineer? A. Yes, I asked them to furnish me with the names of competent locating engineers just the same as I asked Mr. Tye here to make recommendations.

Q. And Mr. Parkhurst wrote that letter? A. Yes.

Q. Do you know Mr. Rice? A. No.

Q. Now Mr. C. E. Carpenter, of Topeka, Kansas, writes you in September, 1903:—

"Mr. E. S. Rice, Civil Engineer, informs me you want a number of locating engineers, and asked me to write you." Now, do you know that Rice? A. Yes, I have seen him, he is office assistant of the Santa Fe in Chicago. When I went there I had a talk with him at the same time with Parkhurst and others.

Q. You went around with Parkhurst, Rice and others; do you remember Lederle, or Mr. Warder? A. No.

Q. The last is secretary of one of the societies? A. I do not remember him, I may have met him.

Q. Do you remember Mr. Bainbridge? A. Yes, I have met him.

Q. You were enquiring of these gentlemen, about getting locating engineers? A. Yes.

Q. And in consequence of that these applications were made to you? A. Yes, some of them.

Q. There was also a Mr. Sesser, do you remember him? A. No, I do not remember Mr. Sesser.

Q. He also states Mr. Rice was desirous of getting engineers for you. On the 6th August he writes:—

"I have been advised that you are in need of engineers to take charge of 200 miles of your lines, and I wish to make application. I wish to refer you to the conversation you had about me with Mr. Rice, of Chicago." So that you were really desirous of getting some engineers? A. I made enquiries.

Q. Was that part of your business in Chicago? A. No, no part.

Q. Up to that time you had not obtained any engineers for the road? A. I had some in August, I was there about July.

Q. They wrote in August and September, but Parkhurst wrote on the 5th August, so that it must have been in August you were there? A. Somewhere in July or August.

Q. Who is Mr. Lederle? A. Mr. Lederle is a civil engineer I met in Chicago accidentally. He had just returned from the Phillipine Islands

and we began discussing the question of engineers, and he took me around and introduced me to some of his friends.

Q. Mr. O. E. Strelhow, on the 14th August, 1903, wrote you from Demopolis, Alabama:—

"Mr. George A. Lederle informed me that you are in need of some locating engineers to put on your extension to the Pacific Coast. I would be glad to accept a position as locating engineer if you still have a vacancy, and the position would carry sufficient salary to justify a change." Had you asked Mr. Lederle to get you locating engineers? A. No, I just suggested the thing to him.

Q. Then why did these men write in this strain? A. They must have found out in some manner that we were in need of engineers.

Q. How can you account for their using the names of Messrs. Rice, Parkhurst, and Lederle? A. I did not intend it.

Q. And then Mr. Parkhurst saying "Referring to your visit of this morning," you did not know Mr. Parkhurst before? A. I did not know Mr. Parkhurst before.

Q. How do you account for it then? A. He must have misunderstood it.

Q. And then Mr. Strelhow states, "Mr. George A. Lederle informed me you were in need of some locating engineers"—had you asked him? A. Lederle went with me to Parkhurst.

Q. Had you seen Lederle before? A. No. (Mr. Stephens subsequently stated that he was mistaken in stating that he had not seen Mr. Lederle before; he stated that Mr. Bacon was brought into Canada through Mr. Lederle.)

Q. Then there is Mr. F. A. Bainbridge, who writes from Gilbertsville, Ky.,—he omits the date, but the letter is of 1903; he states:—

"Gilbertsville, Ky., 1903.

"Mr. J. R. Stephens,
"Prin. Asst. Eng., Grand Trunk Ry.,

"Dear Sir,—My friend Mr. George A. Lederle whom I met on the train last evening asked me to recommend a locating engineer. I recommended Donald Rounsville, C. & N. W. Ry., Kaukauna, Wisconsin, and promised Lederle to write you this, etc., etc."

Now, we have Rice, Lederle, Parkhurst and Warder all trying to get men for you? A. Yes.

Q. And you say you did not give them any instructions or express any desire that they should do so? A. I do not say I did not have a talk with Lederle and ask if he could obtain locating engineers, and the thing was done informally, and there was no direct obligation made unless he did it himself.

Q. There is a letter from Mr. J. L. Lancaster, of Cairo, Ill., do you know him? A. Yes.

Q. He says, "I am advised by my friend Mr. Bainbridge of the Illinois Central Railroad that you are looking for a good locating and construction engineer"? A. Yes, Lederle is the man who took that up for me, but he was not authorized to do so.

Q. Now you offered a position to Mr. F. Meredith Jones of Willet's, Cal.; do you know Mr. Jones? A. Yes, I know him personally.

Q. He is an American? A. Yes.

Q. He was unable to take the position at that time? A. Yes.

Q. What position did you offer him? A. I do not remember. I have in mind giving him one of the district engineerships.

Q. He was on the Santa Fe with you? A. Yes.

Q. He writes on the 30th September, 1903:—

"I have just learned you have sent me an offer of a place through Mr. Dun's office. I write to thank you and to say I hope at some other time to find employment with you." Mr. E. P. Watkins, of St. Paul, he also applied to you on April 6th, and you wrote to Mr. John F. Stevens, of Chicago, and also to Mr. Alexander Stuart, Seattle, as to his ability? A. Yes.

Q. That was with a view to employing him if he was qualified? A. Yes. I wished to get recommendations."

The evidence taken on the 30th and 31st May and 1st June, 1904, at Montreal, disclosed that there were three Americans engaged in the Montreal office, namely, John R. Stephens, Asst. Chief Engineer, W. E. Mellen, Chief Clerk, and H. M. Goodman, Chief Draughtsman. Messrs. Stephens and Mellen having been resident in Canada for upwards of one year did not come within the provisions of the Alien Labor Act, but Mr. Goodman coming within the Act I reported on the 1st June, 1904, that in my opinion he was subject to deportation. He has since left the country.

Alleged Efforts to Obtain Canadian Engineers.

Mr. Stephens on being further examined on the 4th July as to his efforts to obtain Canadian engineers stated that he used his efforts through Mr. McNab (Chief Draughtsman of the Grand Trunk Railway), Mr. Tye, and others, whom he thought knew and were acquainted with the railway situation in Canada.

"Q. What others? A. I do not remember except occasional talks with engineers I happened to meet. I visited Mr. Tye's office several times a week consulting about these applications. I also know I had Mr. McNab telephone to the Canadian Society of Civil Engineers asking about applications and references. So far as my recollection goes there are one or two names.

Q. Do you remember of what you spoke? A. Yes.

Q. I suppose they were the only two you consulted? A. I don't know, there are others but I do not recollect.

Q. There is no name on your pay rolls that you can identify with Mr. McNab's recommendation? A. No."

Being asked why he did not write to the Canadian Society he stated the reason was that his communications with the Society were by telephone through Mr. McNab.

"Q. Then when you say you exhausted every effort to get engineers or assistants in Canada you mean you had a conversation or conversations with Mr. Tye and Mr. McNab? A. Yes.

Q. And others you recollect? A. No, nothing so specific. I had so many conversations with different people. I have talked generally with a good many.

Q. I find among the one hundred Canadian and British applications that were made for positions on the Grand Trunk Pacific by engineers there are 28 full members of the Canadian Society of Civil Engineers and 12 associate members of that Society, that is 40 members of that Society, did you know that? A. No, I did not.

Q. Did you inquire into their qualifications at all? A. No, except through Mr. McNab's references to the society through the secretary or the lady who I understand is charged with the records there.

Q. They have a book there, have you seen it? A. No.

Q. You could have seen it? A. Yes.

Q. Did you tell Mr. McLeod's secretary of that? A. Not directly, we telephoned directly to the office.

Q. Did you know that any one of these gentlemen was a member of the society? A. Which one?

Q. Any one of the 40 names I read out to Mr. McLeod? A. I presume they would state if they were members when making their applications.

Q. Why did you not employ any of these 40? A. I do not know.

Q. Have you no other or better reason? A. No.

Q. Was it because you were employing Americans instead? A. Not at all.

Q. You did employ these Americans? A. We did employ some.

Q. At the time of these applications and subsequently? A. Yes, they have been employed.

Q. With your knowledge? A. Yes.

Q. And approval? A. Yes.

Q. So that we have to-day yourself as chief engineer and we have three division engineers, two district engineers, one harbour engineer, one office engineer, all Americans? A. I think so.

Q. Don't you know that as a fact? A. Yes.

Q. Only one Canadian out of nine of the high positions? A. I do not know whether Knowlton is an American or a Canadian.

Q. Why is it you don't know that? A. Because I have not entered into any enquiry.

Q. As far back as April you were asked to make an enquiry as to the nationality of these men: did you do so? A. We did."

Unsuccessful Canadian Applications.

In addition to the applications of Mr. C. B. Smith and R. W. Leonard, a large number of other capable Canadian engineers unsuccessfully applied for positions to Mr. Stephens, while he was doing all in his power to obtain engineers from the United States, as above set out. Among those applying were: Thos. E. Hillman, James A. Paterson, James H. Kennedy, J. H. Armstrong, and Mr. McCarthy, about whose abilities there apparently was no question. There were also at least 40 members or associated members of the Canadian Society of Civil Engineers of whom Prof. C. H. McLeod, the Secretary of the Society, although apparently an unwilling witness testified that they should all be and many of those he knew were capable of taking charge of parties on the survey. Among the names mentioned by him as so qualified are:

Names.	Date of Application.
Armstrong, H. W. D.	Jan. 17th, 1903.
Armstrong, J. H.	Febry., 1903.
Armour, John F.	Jan., 1904.
Beaudry, J. A. U.	Nov., 1903.
Bruce, Arthur M.	April, 1903.
Berryman, E.	Nov., 1902.

Names.	Date of Applications.
Caddy, J. St. V.	July, 1903.
Cartwright, C. E.	Jan., 1903.
Crawford, Wm.	April, 1903.
Carry, H.	May, 1903.
Duffy, Ambrose,	Dec., 1902.
Drury, E. H.	May, 1903.
Hillman, T. E.	March, 1903.
Hibbard, F. A.	March, 1904.
Hill, A. E.	July, 1903.
Kennedy, J. H.	Sept., 1903.
Miles, C. LeBee,	May, 1903.
Mitchell, C. A.	Febry., 1903.
McConnell, B. D.	July, 1903.
Moberley, Frank	Dec., 1902.
McCarthy, Wm.	March, 1904.
Murdoch, Wm.	June, 1903.
Perry, J. R.	Aug., 1903.
Smith, Cecil B.	Dec., 1903.
Stephens, Arthur,	May, 1904.
Szlapka, Henry.	May, 1903.
True, Abbott	July, 1904.
Walsh, E. J.	April, 1903.

As to some of these names he stated that they were well qualified to act as Division Engineers. The Associate Members he could not speak with accuracy as to their attainments. Their names are as follows:—

Names.	Date of Applications.
Abbott, Chas. A.	Jan. 17, 1903.
Bogart, J. L. H.	Feb., 1904.
Bowden, W. A.	Feb., 1904.
Black, J. D.	Feb., 1903.
Chalmers, J.	April, 1903.
Campbell, W. F.	March, 1903.
Evans, R. R.	Jan., 1903.
Greene, N. Hanson	Feb., 1903.
Jorgenson, J. E.	May, 1903.
Lewis, D. O.	Oct., 1903.
McDougall, A. C.	July, 1903.
Norman, Wm.	April, 1904.
Ross, D. A.	March, 1903.

The remaining Canadian applicants for positions of engineer whose names appeared in the Montreal office are:—

Names.	Date of Applications.
Bamford, C. F.	July, 1903.
Beatty, Jas. E.	March, 1903.
Bowen, C. H.	Jan., 1904.
Brady, James	June, 1903.
Bagshaw, F. T.	Nov., 1902.
Bardsley, F.	June, 1903.
Barrow, A. R.	Dec., 1902.
Blencove, Sydney	April, 1903.
Brebner, Allan	Sept., 1903.
Brokovski, E. F.	Dec., 1903.
Boyd, E. J. L.	May, 1903.
Campbell, W. G.	Sept., 1903.
Crossman, D. M.	Nov., 1903.
Cotton, Col. A. F.	Aug., 1902.
Collins, J. J.	May, 1904.
Dimsdale, H. G.	May, 1904.
Dibblee, C. F.	June, 1903.
Gough, Richard T.	May, 1904.
Graham, W. J.	Jan., 1903.
Gray, J. H.	Feb., 1903.
Hamel, F. H.	Feb., 1903.
Hamilton, James M.	Nov., 1903.
Haycock, E. B.	Nov., 1903.
Husenott, C.	July, 1903. May, 1904.
Harris, Ralph Carr	Nov., 1903.
Hickman, Deverell Jodoin, Edward	Nov., 1903.
Lane, W. F.	March, 1903.
Leclerc, Paul	Jan., 1904.
Mackenzie, H. J.	Dec., 1902.
McDonald, Wm.	Dec., 1903.
Maclennan, A. L.	April, 1904.
Paterson, J. A.	July, 1903.
Pilsworth, J. A.	March, 1903.
Ponton, A. W.	April, 1904.
Pickering, F. A.	Oct., 1903.
Proctor, A. F. S.	Nov., 1902.
Roberts, J. Morris,	Sept., 1903.
Secretan, J. H. E.	March, 1903
Simard, O.	Dec., 1903.

Names.	Date of Application.
Simpson, John.	March, 1903.
Stanton, H. G.	Jan., 1903.
Stewart, C. E.	Jan., 1903.
Valois, Gustave.	Jan., 1904.
Wilgar, W. P.	Sept., 1903.
Winser, F. Scott.	Jan., 1903.
Wright, W. H.	March, 1903.

Mr. McCarthy had been appointed as an engineer in charge, but having resigned from that position he subsequently applied to be appointed a division engineer. Mr. Stephens in his examination of the 1st June with reference to this gentleman gave the following evidence:—

"Q. Now Mr. McCarthy, of Ottawa, has applied for the position of division engineer, what have you done with reference to his application. A. Mr. McCarthy was with us for some months, and when he came in he had some disagreement with Mr. Knowlton and he left our service. I have not the slightest objection to say he will get work again if he will come back. He is a good man, and recommended by a number of engineers, eminent engineers, such as Mr. Lumsden and even Mr. Hobson I think is favorable.

Q. That is the reason he was employed, and Mr. Schreiber speaks highly of him, and recommends him; he was not employed as division engineer? A. He was not employed as division engineer.

Q. He applied for a division engineership since he left you? A. Yes.

Q. Is he capable of taking charge of a division? A. I think he is capable of taking charge of a district, not a division.

Q. You would not agree to appoint him to a division? A. Not without trial.

Q. Can you get any better recommendations than he has? A. No.

Q. And he is a British subject? A. I do not think he has applied for such a position."

With reference to Mr. Paterson, Mr. Stephens was examined as follows:

"Q. Then there is Mr. James A. Paterson, he is a Canadian, although at present in West Virginia, desirous of returning to Canada on account of health; he has a number of very superior references? A. Please let me see, I do not know him; I do not know that Mr. Paterson. I met his brother. He would not accept.

Q. What position? A. Locating engineer.

Q. At what salary? A. $175 per month.

Q. What position did he ask for? A. I do not know.

Q. When did you offer him that position? A. About 1st March, 1903, he was here personally, I am speaking of his brother not himself; he is in West Virginia.

Q. Was it on 1st March, 1903. A. Yes, when I saw his brother.

Q. That was prior to the receipt of these letters? A. I do not know how the correspondence was dealt with.

Q. It was dealt with in no way, you referred it to Mr. Knowlton, and Knowlton replies: "Yours of the 21st regarding J. A. Paterson received. As requested I have seen Mr. Russell"—Who is Mr. Russell? A. Chief Engineer of the Temiscaming and Northern Railway for the Ontario Government.

Q. (Letter still continued.) "And he informs me he is not personally acquainted with Mr. Paterson but knows of him and what he does know is

satisfactory. He was on the surveys several years ago and wrote an article regarding the country and surveys, which Mr. Russell informs me is very intelligently written, and he thinks you would be perfectly safe in giving him a position as locating engineer—that was on the 22nd July, 1903? A. Yes.

Q. And nothing has been done since Mr. Paterson's application? A. No."

I wrote to Mr. John A. Paterson, K. C., with reference to Mr. Stephens' statements, and in consequence of his reply and a letter from his brother, James A. Paterson, examined the former on the 13th July, when he gave the following evidence:—

"Q. Your brother, I understand, has gone to Virginia? A. Yes.

Q. Do you know whether he was an applicant for employment on the Grand Trunk Pacific Railway? A. Yes.

Q. Have you any letters or correspondence to show that? A. Yes.

Q. What are they? A. I produce a letter written by Hon. Mr. Cox to me. I wrote to Mr. Cox to see if he could get employment. (Letter of Mr. Cox is set forth in the minutes of evidence.)

Q. I see your brother commenced his career as civil engineer with the late Mr. Ingles, of the Suez Canal? A. Yes, I may state he was practically expatriated because he could not get work in Ontario. He wanted to stay in Ontario; he is a British subject.

Q. He was practically expatriated on account of not being able to get this work? A. Yes. He is willing to come back, anxious to come back; always has been.

Q. Did you see Mr. Sephens yourself? A. No, I did not.

Q. He stated before me early in the investigation that he had offered you a position for your brother? A. Oh, that is a mistake, because that is all I have got from Mr. Stephens, this letter.

Q. You never saw the gentleman at all? A. No.

Q. Do not know the gentleman? A. Do not know him at all. Mr. Stephens is quite mistaken about that."

Mr. Stephens on being further examined on the 4th July, in this connection stated as follows:—

"Q. At your last examination, Mr. Stephens, you stated you had offered Mr. Paterson a position on the line which he refused to accept. Now, I have received a letter from Mr. Paterson's brother stating no position was offered? A. I think we have some correspondence which I wrote him, and offered him a position which he declined.

Q. That was not the statement you made before, Mr. Stephens; Mr. Paterson came down to Montreal? A. I have got the wrong man in my mind.

Q. Then that is your explanation? A. That is all I have to say; I may have the wrong man in my mind.

Q. What you stated was that it was a verbal offer, not by correspondence; you did not make any verbal promise or any verbal offer to either of the Patersons? A. Not to my recollection.

Q. Have you any telegram or letter to show you made a written offer to either? A. I think so. If I have written him it will be in my office.

Q. There was two Patersons, John A. Paterson and James A., which was it? A. I cannot recollect.

Q. They both say you made no offer to them of any position? A. I think I did.

Q. They state positively you did not? A. I think I offered them by telegram; I have every one of the papers.

Q. You stated it was done verbally? A. I think I offered by telegram.
Q. To whom did you send it? A. To one of these gentlemen.
Q. Both say they have no offer? A. Where are they now?
Q. One in Toronto and one on the other side? A. Before I answer this I would like to look up and see about the telegram.
Q. Senator Cox wrote to you about Mr. James A. Paterson and Mr. Hobson recommended him? A. I did not have these gentlemen in mind, if it was not the engineer who called on me I do not remember."

With reference to Mr. Hillman's application Mr. Stephens in his examination gave the following evidence:—

"Q. You remember Mr. Hillman's application endorsed by Mr. Hobson? A. Yes, I do.
Q. A Canadian? A. I did not refuse.
Q. Did you not refuse? A. No.
Q. Have you appointed him? A. I have not.
Q. He was out of employment? A. I did not understand, he resides in Kingston.
Q. No, he resides in Hamilton, Mr. Hobson recommended him most strongly? A. Well, Mr. Hillman came down to see me, and I did not understand at the time of my conversation with Mr. Hobson and Mr. Hillman that he desired such an appointment.
Q. Mr. Hillman asked for an appointment and you refused to give him anything? A. So he says.
Q. Yes? A. Well, I misunderstood him.
Q. As you say you misunderstood Mr. Smith? A. Yes.
Q. Mr. Hobson told you Mr. Hillman was a man of position and standing? A. I did not understand that he wished to be appointed from a conversation.
Q. Mr. Hobson tells me entirely different, Mr. Stephens; which of you is correct? A. Oh, I think I am correct.
Q. And Mr. Hobson incorrect? A. I think probably that we misunderstood each other."

Mr. Hillman in his examination with reference to his application, gave the following evidence:—

"Q. In 1902 when the location and construction of this Grand Trunk Pacific was first broached were you available for employment as engineer? A. Yes.
Q. Did you make that known? A. I made an application in December, 1902.
Q. To whom did you apply? A. I applied to Mr. Hays through the Chief Engineer, Mr. Hobson.
Q. What was the result? A. The reply to that letter was from Mr. Hobson. I have his reply you speak of. (Letter dated 1st December, 1902, and answer thereto, set forth in the minutes of evidence.)
Q. Did you hear from him again, or anybody? A. No, sir, not till the following March.
Q. Was that the time that the telegram was sent to you? A. Yes.
Q. Is this the telegram, March 12th, from Montreal:
"Mr. Stephens would like to see you in Montreal on Saturday morning, re Grand Trunk Pacific surveys. I am sending pass to-night. Joseph Hobson."? A. Yes.
Q. And the letter of the same date, confirming this telegram from Mr. Hobson; then did you go to Montreal? A. I did.
Q. Whom did you see and what happened? A. I saw Mr. Stephens, introduced myself to him.

Q. Did he ask you as to your knowledge of the country or qualifications, or anything of that sort? A. Yes, he asked me if I was familiar with the country east of Winnipeg.

Q. Did he ask you what you were doing as to your present position, or anything? A. Yes, I was asked what I was doing at that time, and I told him I had a private practice in Hamilton.

Q. What was said as to that? A. He said he thought it was very strange I should wish to give up private practice and take employment on the Grand Trunk Pacific.

Q. What was the net result of this telegram of Mr. Hobson's? A. Well, there was no offer made me whatever.

Q. No offer made by Mr. Stephens? A. No.

Q. I understood Mr. Stephens to say when questioned about this in Montreal that he understood from your conversation that you would not be willing to take a position; what do you have to say to that? A. Well, I cannot see that he could possibly have been under that impression; there was nothing said to convey that impression."

Mr. Hobson, in his evidence relating to the same matter, stated as follows:—

"Q. (Referring to Mr. Stephens): After he came did he consult with you as to the appointing of engineers along the line? A. No, I think the only person about whom he spoke to me as far as my recollection goes was Mr. Hillman.

Q. You had recommended Mr. Hillman for appointment? A. I had recommended Mr. Hillman for appointment, yes.

Q. Did you know Mr. Hillman's qualifications? A. Yes.

Q. What do you say about that? A. They were very high indeed as a constructing engineer.

Q. What about his qualifications as a locating engineer? A. And I believe he is a good locating engineer, too, but I speak of him in the highest terms as to his constructive ability."

With reference to Mr. J. H. Armstrong's application, Mr. Armstrong in his evidence stated as follows:

"Q. Did you apply or let it be known you were available (for a position in the Grand Trunk Pacific location work)? A. I applied to Mr. Hays in December, 1902, for the position of engineer in charge of the work.

Q. Would that position alone have been acceptable? A. That is a similar position to what I had on the Canadian Pacific formerly.

Q. Did you have any testimonials to show him what your capacity was? A. My application was endorsed by the Hon. Geo. A. Cox.

Q. What was the result of the application? A. I received a reply from Mr. Hays stating he had received my letter to Mr. Cox, and as soon as the work started he would advise me.

Q. Did he advise you? A. No.

Q. Did you lie by or did you give any other intimation you were available? A. In March, 1903, I wrote my application to Mr. Hobson, I think between the time I wrote Mr. Hobson and the time he received it Mr. Stephens was appointed. Senator Gibson advised me to write to Mr. Hobson.

Q. And on his recommendation— A. I did so.

Q. Although nominated by Mr. Cox and Mr. Gibson you did not receive the position you desired? A. That terminated the correspondence with Mr. Stephens and myself. I have had correspondence with Mr. Hobson since that.

Q. At any rate that letter of April 3rd from Mr. Stephens stating that he had placed it on file was the last you had heard? A. Yes."

Mr. Stephens with reference to this application stated in his evidence as follows:—

"Q. There are about 100 applications from Canadians that I have gone through, one is from a Mr. Armstrong, of St. Catharines, J. H. Armstrong, Box 70; do you remember him? A. I do not remember him.

Q. Do you remember what you did upon receiving these applications from Canadian applicants? A. I filed them with the others classifying them as nearly as possible, according to their ability and experience.

Q. Did you enquire into the ability and experience and qualifications of each of these men and see whether they were capable of doing the work they applied for? A. In so far as I had the personal appointment I did, and made sure of it; in so far as division engineers were concerned they appoint their subordinates and I have to rely upon them.

Q. Did you send these applications to the division engineers? A. Yes, if they received the applications they referred them to me when they asked for a position."

In reference to the application of Mr. Kennedy, Mr. Stephens gave the following evidence:—

"Q. Then there is also Mr. James H. Kennedy, of St. Thomas, do you remember him? A. No.

Q. It was forwarded to you by Mr. Logan who wrote to Mr. Hays, and you sent it to Van Arsdol? A. Yes, if the record shows it.

Q. The record shows you sent it on. Mr. Van Arsdol writes on the 29th October, 1903, "Referring to my letter of October 8th, relative to application of Mr. James H. Kennedy, of St. Thomas, Ont., I have not yet provided for engineers to take charge of locating parties. When the work of surveys commence if Mr. Kennedy is a capable man for this work and desires a posi- that I shall be glad to have him when the work is commenced." When did that work commence? A. Shortly after that, and Mr. Kennedy was not appointed.

Q. If Mr. Kennedy was not appointed who was appointed? A. The last name on your list.

Q. Then Callaghan was appointed in February, 1903, he is an American? A. I think he is, I do not know.

Q. Mr. Kennedy's qualifications, were they inquired into further than this letter? A. I do not knew; the matter was returned to Mr. Van Arsdol."

I wrote to Mr. Kennedy with reference to his application and received a letter from him in which he informed me that he had subsequently been appointed Chief Engineer of the Vancouver, Victoria and Eastern Railway. Prof. Galbraith in his evidence referred to Mr. Kennedy in the highest terms, he having been a graduate of the School of Practical Science, Toronto.

Nationality of Parties Composing the Several Divisions.

The evidence shows that while Mr. Stephens appointed the division engineers they usually appointed their assistant engineers, although Mr. Stephens on several occasions also appointed some. The division engineers frequently appointed the other members of the staff under the Assistant Engineers. The staff of a party is composed of an assistant engineer in charge who receives from $150 to $175 a month and expenses, transitman $100 a month, draughtsman, leveller, topographer, each $75 a month and expenses. The remaining members of the party being, foreman, rodman, chain-man, ax-man, cook, etc., receiving from $45 to $60 per month and expenses, are not considered as members of the staff. At the time of the inquiry there were twenty parties namely 1 to 7 inclusive, under Geo. A. Knowlton, division

engineer at North Bay, and C. F. Hannington, district engineer; parties numbered 1 and 2, Thunder Bay District, and 8 to 12 inclusive, under G. A. Kyle, division engineer, Winnipeg; and from 13 to 18 inclusive under C. C. Van Arsdol, division engineer, Edmonton, and R. W. Jones and E. R. McNeill, district engineers.

North Bay Division—(Consisting of the first seven parties.)

The evidence shows that Mr. Knowlton is an American citizen, and was such at the time of his appointment, having been a year in Canada previous to the enquiry no report was made by me concerning him. He receives a salary of four thousand dollars a year. When appointed he was in receipt of $200 a month and expenses in the United States. Chief Draughtsman G. W. Stadly is an American citizen, but having been a resident in Canada for some years he was not reported. The assistant chief engineer of party number 1 is Mr. T. C. Taylor, who was employed on or about 14th August, 1903. He is an American citizen, and was reported as coming within the statute for deportation. He was appointed by Mr. Knowlton in the place of Mr. Dixon who had previously been in charge and who was also an American citizen but whose health gave way, when he returned to the States. Mr. Taylor was personally known to Knowlton on the Great Northern Railway in Idaho, and he asked him to accept the position of assistant engineer at a salary of $175 a month and expenses, he receiving at that time the sum of $125 per month only, and paying his own expenses, in the United States, as instrument man on the Seattle Tunnel.

Mr. Stephens approved of his appointment on the 31st July, 1903, and transportation was provided by Mr. Knowlton both for Mr. Dixon returning to the States and Mr. Taylor coming from the States. The remainder of the staff of party number 1 is composed of Canadians or British subjects.

Party number 2 was originally in charge of a Canadian, Mr. Hannington, who was appointed on or about 10th March, 1903, and who was promoted in May following to the position of district engineer which he still holds. He was succeeded on the 2nd May, 1903, by Joseph E. Tempest, a Canadian, who is still in charge of the party. He receives only $150 per month and expenses, while Americans namely T. C. Taylor and C. F. Gailor receive $175 and expenses. His party is composed entirely of Canadians or British subjects.

Party No. 3 was originally in charge of Mr. Alexander McLennan, who was appointed on or about 12th March 1903, and relieved of his position on or about 29th March 1904. He was succeeded by Mr. W. Usborne, a Canadian, who was appointed in April 1904. His staff are all Canadians.

Party No. 4, was originally in charge of an American, C. E. Hill, assistant engineer, appointed sometime in May 1903, but his services were dispensed with and Mr. Boucher a Canadian appointed in his place. Subsequently he was relieved in consequence of his intemperate habits. He was succeeded by Mr. J. D. Nelson, an American citizen who had been appointed in October 1903, transitman, and was promoted. He was subsequently relieved in consequence of his intemperate habits, and W. R. Coldwell was appointed during the inquiry, and is now in charge of the party. He and the remainder of the staff are Canadians or British subjects.

Party No. 5, was originally in charge of Mr. McCarthy who was appointed in May 1903. He resigned his position in November 1903, and Mr. Balloch, a Canadian, was appointed in his place. He was subsequently relieved, and Mr. C. S. Gzowski, Jr., appointed in his place, about 1st June 1904, and subsequent to the commencement of this inquiry. Mr. Gzowski and his staff are Canadians or British subjects.

Party No. 6, Mr. Nutting was originally in charge of this party. He was an American citizen. He was appointed in May 1903, but grew tired of the work and left in April 1904, when Mr. John S. Tempest was appointed in his place on 1st April 1904 at $150 per month. Mr. Tempest was appointed while in the United States, but he and his staff are Canadians or British subjects.

Party No. 7, was originally in charge of Mr. Wm. Mayer, an American. He was appointed in May 1903, but was transferred to party No. 12. Subsequently he gave up the work in consequence of the severity of the weather. Mr. J. P. Pim, was appointed in his place, 6th October 1903. Mr. Pim is an Irishman, although he was for a number of years in the United States. He was relieved from his position by Mr. Knowlton and was succeeded in May 1904 by Mr. C. F. Gailor who is an American citizen, and who was at the time of the enquiry in charge of the party at a salary of $175 per month and expenses. The other members of the staff are either Canadians or British subjects.

Mr. Knowlton in his evidence stated that the reason why he employed Mr. Taylor knowing him to have been an American, and invited him to Canada, was because he could get no Canadian for the position. He admitted having a number of applications from Canadian engineers in his office at the time, among whom were applications from Mr. J. H. Kennedy, Mr. J. A. Patterson, D. O. Lewis, Mr. Baza, Mr. Pierce, Mr. Clifford, (who declined a position) J. L. H. Bogart and others, in addition to a list of 5 or 6 sent from Montreal to him. He stated that a Mr. McDonald of Rat Portage was offered the position, but did not come; but upon cross-examination it appears he understood that he was offered the position by Mr. Stephens, but no evidence was produced to show an actual offer had been made to Mr. McDonald. He could not explain why it was the other Canadian engineers had not been offered the position. He stated in his examination to Counsel for the Grand Trunk Pacific that at no time during his connection with the Company in Canada had a citizen of the United States ever been engaged in preference to Canadians, but the fact remained that he passed by the Canadian applications and appointed not only Mr. Taylor but also Mr. Gailor. It is true that on the 17th March 1904 he wrote to Prof. C. H. McLeod of Montreal, the Secretary of the Canadian Association of Civil Engineeers, and to Prof. J. L. H. Bogart, of Queen's College, Kingston, asking if they knew any good locating engineers that they could recommend. In consequence of such letter to Prof. McLeod Mr. Henry Carry applied. He was highly recommended by Mr. J. S. Darling, division engineer of the C. P. R., who stated that Mr. Carry worked for him as locating engineer on line changes for grade revision about two months, and while with him did very good work, and he was perfectly satisfied with him, that he was temperate, and a very hard worker, very strict with his men. The only fault he found with Mr. Carry was that he was a great talker and wanted everything exactly so, but that he did not think this would hurt him any as a locating engineer, and he would recommend him as being a very good man. Prof McLeod did not send a list, although he had at least four Canadians entered on his roll from the beginning of 1904, two of whom were applicants for positions on the Grand Trunk Pacific, namely John McCunn and B. J. Forrest. It appeared subsequently from Prof. McLeod's examination that he made no attempt to seek for engineers for Mr. Knowlton, and that he was also in the employ of the Grand Trunk Railway. The correspondence of Mr. Knowlton with another American in March 1904, namely, Mr. W. J. Herbage, Hoboken, N. J. would in-

dicate that he was desirous of employing Americans in preference to Canadians. In that letter he writes:

"Dear Sir:

Your letter of March 15th, to Mr. Geo. W. Stadly, was handed to me. I expect to be in need of a locating engineer very soon. I am paying experienced locating engineers $175 per month and expenses, time and expenses commencing leaving North Bay. I can furnish you transportation from any point on the Grand Trunk, either Buffalo or Niagara Falls."

On the same day he wrote to Mr. Stephens regarding Mr. Herbage and Mr. Stephens informed him that he did not know Mr. Herbage. In consequence he writes Mr. Herbage on the 19th April regretting he would be unable to do anything for him at present, stating that in consequence of adverse criticism in the press, and in the present session of Parliament in regard to the employment of men from the other side of the line he would readily understand the position Mr. Knowlton was in.

In addition to the Canadian applications for positions of engineers in charge of a party Mr. Knowlton had a number of applications from about 50 Canadians for positions of transitman, draughtsman, levellers, topographers, and about 80 for subordinate positions.

Winnipeg Division—(Consisting of parties No's 8 to 12, and No's 1 and 2 Thunder Bay District.)

The evidence taken shows that in the head office at Winnipeg the following were Americans, namely: Geo. A. Kyle, Division Engineer, Alexander G. Allan, Office Engineer, S. H. Mason, Draughtsman, the two former having been resident within Canada for more than one year prior to my examination were not reported on by me, but S. H. Mason being examined and admitting himself to be an American, engaged on the 17th October 1903, by Mr. Kyle to take the place of Mr. H. M. Goodman, who was transferred to the Montreal office, was reported on the 7th June as coming within the provisions of the Alien Labor Law, and has since left the country. There had been another draughtsman, a Canadian named Cecil Goddard. He was an engineer, and was promised promotion from time to time by Mr. Kyle, but in consequence of Mr. Kyle appointing Americans to positions that Mr. Goddard could properly fill and at a higher salary than he was getting he resigned, and since then has been appointed town engineer to St. Boniface at a salary of $150 per month, he having only received the sum of $85 per month from the railway. He had been engaged by Mr. Kyle in September 1903, as draughtsman at $85 per month, with the understanding that if his services were satisfactory he was to get an increase. His salary, however, was not increased, although his services were considered satisfactory. In his evidence he stated:

"Q. Was it promised (increase of salary)? A. Yes, by Mr. Kyle and Mr. Allan; he told me when Mr. Stephens came up here I would get my increase.

Q. When was that? A. In December 1903.

Q. Mr. Kyle promised to increase your salary? A. Rather promotion from draughtsman to other work, but I saw other men taken into the employment of the Grand Trunk Pacific. I think I spoke to Mr. Kyle on the 3rd May and asked him what chance I had, and he said, "I will tell you the truth, there is very little chance here, and if you can do better elsewhere you had better take it."

Q. Who were the men you say were employed and given positions while you were there and asking for promotion? A. Mr. Fairchild came here and stayed for a little while.

Q. Where from? A. From Washington; he was well known by Mr. Kyle and Mr. Mason, I think he was rooming with Mr. Kyle.

Q. What was he appointed to at first? A. Topographer.

Q. What salary? A. I think he got $75 per month.

Q. What is he now? A. He was transitman very shortly afterwards.

Q. How old is Mr. Fairchild? A. About 22 or 23, I think.

Q. Any other gentlemen besides Mr. Fairchild while you were in the office A. Mr. Heckman.

Q. Mr. Raymond Heckman? A. Mr. Heckman is here now.

Q. What position was he appointed to? A. I think he had charge of a party under Mr. Mayer.

Q. When was that? A. That would be coming around February.

Q. That gentleman is Mr. Kyle's nephew, I understand? A. Yes.

Q. Any other besides Mr. Heckman? A. There was Colladay came up from the States here.

Q. How old is Mr. Colladay? A. A man about thirty, I think; he was given charge of a party."

In consequence of the production of the letters to Hugh Allan and Frank L. Davis set forth in this report Mr. Kyle resigned his position as division engineer on the 8th June, and the same was accepted on or about that date, but on the 20th July I discovered he was still in the office at Winnipeg drawing up a report of work done by him while division engineer, Mr. Stephens stating that it ought to have been finished by that time, but he was unable to give any date when it would be finished or when Mr. Kyle would leave Winnipeg.

Party No. 8, is in charge of L. R. Orde, who was appointed on the 1st July 1903. He is a Canadian, and his staff is composed of Canadians or British subjects.

Party No. 9, was originally formed by Mr. A. G. Allan, who is now office engineer in Winnipeg, and an American. He was appointed about 6th June 1903, and immediately engaged his own staff by telegraphing to his former transitman on the Santa Fe road in the United States, Mr. H. S. Hancock. Mr. H. S. Hancock brought along with him two Americans, A. A. Meador and F. O. Parsons. Mr. Hancock, although living in the States is an Englishman and has been given leave of absence to visit England where he is at present. He had been receiving in the States a salary of $90 a month, Meador $60, and Parsons $45, Meador being rodman and Parsons still junior. Mr. Meador has since been promoted to transitman, and Mr. Parsons to leveller, the former at $100 per month and the latter at $75. Both these are Americans, and were appointed on or about 25th June 1903. They were reported upon by me as coming within the Alien Labor Act on the 21st June 1904. Mr. Allan resigned as assistant engineer, having been appointed to a position of office engineer at a salary of $200 per month, and Mr. J. A. Heaman was appointed on the 24th November 1903, and is still in charge of that party. He is a Canadian. The members of his staff, other than Meador and Parsons are Canadians or British subjects.

Thunder Bay Branch, party No. 1, is in charge of C. E. Perry, assistant engineer, appointed on the 1st July, 1903. All his staff are Canadians or British subjects.

Thunder Bay Branch, party No. 2, is under the charge of W. H. Mitchell, assistant engineer, and a Canadian, he having been appointed in January 1904. Mr. Kyle appointed C. D. Fairchild, 20th January 1904, as transitman for Mr. Mitchell. He is an American citizen. He had previously applied to Mr. Kyle for a position on the railway, but the evidence fell short of connecting his application with his subsequent appointment.

and for that reason I considered that he did not come within the Alien Labor Act. In stating his experience as a civil engineer he stated that he had graduated from the Y. M. C. A. course as civil engineer, in Tacoma, and that he had two years experience in ditching in the Klondike. On this party there was a young lad named S. J. Mayo, an American from St. Paul, who was appointed by Mr. Kyle as rodman at $45 a month on 30th April 1904, in the place of a Canadian named Frank Girdlestone who had been appointed two or three days previously by Mr. Goddard in the Winnipeg office, but whose appointment was set aside in favor of Mayo, who was only 20 years of age. Mr. Kyle appointed him at the instance of a friend of his in Tacoma, Washington. The remaining members of Mr. Mitchell's staff are Canadians or British subjects.

Party No. 10 was filled by B. B. Kelliher, who was appointed by Mr. Stephens as assistant engineer in charge of this party, on or about 15th January 1904. Mr. Kelliher in his examination stated he was an Irishman, but had lived in the United States for about 17 years. He stated he had not become naturalized there, and he was still a British subject. His methods are clearly American. He had been connected with the Northern Pacific before his appointment, where he was acquainted with Mr. Stephens. Immediately after his appointment he wrote to the United States for three of his staff, Messrs. J. A. Green, 3rd May 1904, F. W. Fink, on 13th May, 1904, and P. T. Gill, the two former being American citizens, while the latter was an Irishman, and had been working for Mr. Kelliher for three years in Idaho, U. S. The others of his party are Canadians. I reported Fink and Green as coming within the Alien Labor Act on the 21st June 1904.

Party No. 11, was originally in charge of Mr. B. P. Tilden, an American from Texas or Florida. He was appointed in September, 1903. He left for the South and was succeeded by Douglas Kyle, a brother of G. A. Kyle, division engineer, then transitman to the party. He retained the position for about three and a half months, when at the request of his brother G. A. Kyle, he was transferred to party No. 18, in March 1904, where he now is. Mr. L. A. Darey, the present assistant engineer in charge was appointed on the 1st February 1904, and still is in charge of the party. He and his staff are Canadians or British subjects.

Party No. 12 was first in charge of Mr. William Mann, a Canadian who was appointed in September 1903. He was, however, laid off, and William Mayer, an American citizen, transferred from party No. 7 to this party. Mr. Mayer resigned in January 1904 in consequence of the cold weather.

In Mr. Kyle's examination he gave the following evidence with reference to Mr. Mayer:

"Q. This morning you stated Mr. McVicar was transferred from Mr. Mayer's party to party No. 16, because Mr. Mayer's party had concluded their work? A. They concluded their survey.

Q. I have a letter from you to Mr. McVicar, dated September 8th 1903. It reads:

"I beg to acknowledge receipt of yours of the 6th instant, and am very sorry there was any friction between Mr. Mayer and yourself, but think I can arrange to send you out west as transitman with a party. You can report to W. E. Mann, Edmonton, on the 14th of this month. You will have to pay your fare to Edmonton, after which all expenses will be paid."

Q. He left Mr. Mayer because of friction? A. He did not like to go back to work with Mr. Mayer, and wished to be transferred.

Q. Who did you put in his place with Mr. Mayer? A. I do not remember just now.

Q. I find a letter from you to Mr. Mayer, dated 4th November 1903. It reads:

"Regarding your transitman, as mentioned to you while in Winnipeg, if he is not satisfactory please let me know, and I will send you a good man who is now in Tacoma. I would like to know about this as soon as possible" —who was that gentleman at Tacoma you were going to send? A. He was Mr. Heckman.

Q. Your nephew? A. Yes.

Q. On the 12th November you wrote Mr. Mayer:

"Answering yours of the 3rd instant I hope that by the time you have received this letter that Mr. Raymond Heckman will have arrived at your camp. I think he will make you a good transitman, as he has had quite a good deal of experience. He is to receive $100 a month. His time and expenses will begin on his arrival at Qu' Appelle on the C. P. R. Of course his expenses after arriving at that point will be paid."

Q. How old was he at that time? A. 22 or 23 years of age.

Q. Where did he graduate from? A. He was not a graduate of any civil engineering school, had taken a course in the correspondence school, and had worked on the Northern Pacific.

Q. Now, I was pleased to see a letter from you to Mr. Mayer on 1st February in which you said: "The men who are coming back from your party are complaining of the treatment they have received while at work. An engineer to be successful should endeavor to get along with the men under him as well as to those to whom he reports, and I would suggest you take this phase of the situation to avoid trouble;" who were the men that were complaining of the treatment they received? A. Several of the men, there were two or three men in the party wrote me letters about Mayer. I heard indirectly also.

Q. What became of Mr. Mayer? A. He resigned because the work was too hard for him to do out on the prairie."

Mr. Raymond Heckman above named and a nephew of G. A. Kyle, was promoted to assistant engineer in charge after William Mayer left in January 1904. He was also an American, and immediately began appointing Americans to his staff. Upon the request of his uncle, Mr. Heckman resigned that position and was succeeded by an American citizen W. E. Colladay, appointed by Mr. Stephens in April 1904, and who is still in charge. The transitman, N. W. Hicks, was an American. He resigned and J. C. Baxter, another American was appointed in his place by Mr. Heckman on the 12th May 1904. The topographer, W. M. Anderson is also an American, and was appointed by Mr. Heckman on the 20th February 1904. E. G. Smith, draughtsman, was appointed in St. Paul, but he stated in evidence that he was a Canadian,, having been born in Ottawa.

I reported W. E. Colladay, J. C. Baxter and W. M. Anderson on the 20th June 1904, as coming within the Alien Labor Act.

Edmonton Division—(Consisting of parties No's 13 to 18.)

The evidence shows, as already stated, that Mr. Van Arsdol, the division engineer, appointed 10th August 1903, Mr. E. R. McNeill, district engineer, appointed 4th September 1903, Mr. Edward McD. Mellen, appointed 15th July 1903, the chief clerk, were all Americans, and employed in the United States, and came within the provisions of the Alien Labor Law, and were reported by me on the 13th June 1904, and have since left the country. Mr. R. W. Jones, district engineer for this division, was absent during the investigation, and would not return for some weeks. The evidence of Mr.

W. E. Mann, taken in Winnipeg on the 7th June, was to the effect that Mr. Jones was an American. Mr. Going in his examination on the 15th June at Edmonton stated that Mr. Jones told him that he was born in the State of Iowa. He had been in Canada over the year, and therefore was not reported under the Alien Labor Act.

Party No. 13 is in charge of assistant engineer C. W. Stuart, who, although receiving his education in the United States and practising his profession there for a considerable number of years, is a British subject, and was appointed in Canada by G. A. Kyle on the 6th September 1903. On his staff are L. C. Gunn, transitman, an American employed by Mr. McNeill on 1st February 1904, and Mr. Talbot, leveller, an American appointed by Mr. Van Arsdol on the 11th May 1904. The other members of his staff are Canadians or British subjects. I reported L. C. Gunn and Peter Talbot on the 20th June 1904 as coming within the Alien Labor Act.

Party No. 14, is in charge of assistant engineer James Hislop. He is a Canadian and was engaged September 7th 1903, being the first in charge of that party. Although a Canadian he graduated from Cornell University, New York, in 1886, and spent the greater part of his time since then in the United States. He was in British Columbia at the time of his appointment. His transitman, R. A. Henderson, is an American, having been born in Baldwin, State of Kansas. He was in Canada at the time of his appointment, being appointed by Mr. McNeill, district engineer, on the 11th December 1903, and therefore did not come within the provisions of the Alien Labor Act. Mr. Glanville, his draughtsman, although a British subject, applied from San Francisco for appointment, and coming here was appointed by Mr. McNeill, the district engineer. Mr. McNeill also appointed one W. W. Benjamin, as axeman, on the 19th May 1904, to this party. He had been acquainted with Mr. McNeill in the States, and applied from there, and followed up his application by coming to Canada. The evidence was in my opinion sufficient to show that Mr. McNeill invited him to come to Canada. He is an American citizen, and was reported as coming within the provisions of the Act, on the 18th July 1904. Another American is Mr. William Green, a flagman, who came here with Mr. McNeill in April 1904. His father being a rancher in the neighborhood and he living with his father at the time of his appointment, I did not consider that he properly came within the statute. It appears from the evidence taken on the 2nd June 1904 Mr. Van Arsdol, the division engineer, had reported to Mr. Stephens that Mr. Hislop, the engineer in charge of party No. 14, had proved to be incompetent, and also stating that he had an application recently from H. C. Brice, employed with the Alberta Coal and Railway Co., and that Mr. McNeill was acquainted with Mr. Brice, and that he was satisfied he was thoroughly competent to do the work. Mr. McNeill in his evidence stated that Mr. Brice was an American citizen, and an old friend of his, and that he had recommended him to Mr. Van Arsdol for appointment. This enquiry prevented this scheme from being carried out.

Party No. 15 was formed by appointing Mr. John Armstrong, engineer in charge, on the 1st September 1903. He had been City Engineer for Edmonton previous to that. He is a Canadian, but while his leveller and draughtsman are British subjects. Mr. F. S. Rossiter, transitman and Mr. Gilbert Murray, topographer, are Americans, but having been in Canada upwards of a year did not come within the Alien Labor Law, and were not reported by me. Mr. Murray was appointed by Mr. Van Arsdol, and Mr. Rossiter by Mr. Armstrong, the assistant engineer in charge of the party.

Party No. 16 was originally in charge of William E. Mann, a Canadian, appointed 5th September 1903. On the 19th May 1904 he was succeeded by Mr. Going, who was originally an American citizen, but had become a British subject by naturalization. He had been in the service of the Railway in British Columbia from the 10th September 1903. Mr. Mann was discharged by Mr. Van Arsdol for incompetency. He gave evidence before me at Winnipeg on the 7th June 1903, and when I returned to Winnipeg from Edmonton I found that he had been re-appointed to Mr. Kelliher's position at an increase of salary from $150 to $175, by Mr. Stephens, Mr. Kelliher having been appointed district engineer. The remaining members of the staff of party No. 16 are Canadians or British subjects.

Party No. 17 is composed of engineer, transitman, and draughtsman, all Americans, namely: Mr. John Callaghan, the assistant engineer, engaged on the 13th February, 1904; Mr. H. T. Hare, transitman, engaged on the 3rd February 1904, and Mr. Nichoson, engaged about the same time. Mr. Callaghan, Mr. Hare and Mr. Nichoson were appointed by Mr. Van Arsdol, the first on recommendation of Mr. Stephens, the second on the recommendation of Mr. McNeill, and the third on Mr. Van Arsdol's own account. The evidence shows that Mr. Callaghan when first sent out had to return in consequence of the supplies not being forwarded to him at the proper place, or as stated in evidence, "The supplies were there all right but I guess he did not know where to put his hands on them," and thereby losing about three months of service. These men being absent from Edmonton were not examined, the evidence showing it would take several weeks to reach them. I did not consider it advisable to incur that expense, and on the 18th July 1904 I reported them as being liable to deportation under the provisions of the Alien Labor Law.

Party No 18, is in charge of Mr. D. D. Sprague, an American citizen, appointed by Mr. Van Arsdol on the recommendation of Mr. McNeill, on 1st January 1904. The transitman is Mr. Douglas Kyle, brother of G. A. Kyle of Winnipeg, and an American citizen, who was originally engaged in October 1903. He had previously been with another party. In consequence of their absence on the survey, and the impossibility of reaching them within several weeks they were not personally examined. The evidence as to their nationality being conclusive I reported them on the 18th July 1904, as being liable to be deported under the Act. The draughtsman, D. W. Robinson, engaged February 13th 1904, was said to be a British subject, and had been on the Canadian Northern Railway before being employed on the Grand Trunk Pacific.

At the time of the appointment of these American engineers by Mr. Van Arsdol and Mr. McNeill they had applications from Canadian engineers well capable of filling the positions, some of the engineers so applying being D. O Lewis, Arthur E. Hill, John Irvine, C. H. Ellacott, F. A. Devereaux, C. S. Moss, all associated members of the Canadian Society of Civil Engineers, also Alfred O'Meara, R. C. Damon, A. O. Osborne, F. D. Smith, E. H. Pearce, Cecil Ewart, A. D. McRae, Jas. H. Kennedy and John MacCunn, the two latter being members of the Canadian Society of Civil Engineers.

In addition to the engineers' applications they had applications from a large number of transitmen, draughtsmen, levellers and topographers,—all bona fide residents in Canada.

Habits of Assistant Chief Engineer.

It having been sworn by Mr. Kyle that he refused to re-employ an engineer, W. G. Kerle, because of his intemperate habits and Mr. Knowlton having reported the dismissal of two engineers and two subordinate officers on

the same ground and having been informed that Mr. Stephens, the assistant engineer, had been guilty of similar habits while in Winnipeg and elsewhere, I examined several witnesses with reference to his alleged intemperate habits, namely: Charles Southern, the constable who attended the Commission in Winnipeg who stated under oath that about nine o'clock in the evening of the 7th or 8th June while it was still light he had picked up Mr. Stephens in front of an hotel, he having fallen in an intoxicated condition, and being watched by a city constable. The next day he again saw him staggering on the street still under the influence of liquor. He was not sure whether it was in the morning or afternoon. The evidence of Mr. Cecil Goddard who had acted as draughtsman in the Winnipeg office for some time shows that on several occasions during business hours Mr. Stephens was seen by him under the influence of liquor and unable to attend to business. He gave one or two instances when that occurred. Mr. G. L. Griffith in his evidence also stated that he had seen him on three distinct occasions when he was unable to attend to business in consequence of excessive use of liquor. It is true Mr. G. A. Kyle and Mr. A. G. Allan being asked whether they had ever seen him under the influence of liquor denied that he ever was in that condition. I place however, no reliance whatever in their testimony. In my opinion one of the reasons why Mr. Stephens obtained American engineers known to himself personally was to shield himself from any misconduct he might be guilty of, and both Mr. Kyle and Mr. Allan were only too willing to shield him.

I had adjourned the taking of a portion of such evidence at the request of counsel for the Grand Trunk Pacific until Mr. Stephens could be present to hear it and deny it if he so desired, but although Mr. Stephens knew such evidence was being taken he refused to appear before me while it was being given. Subsequently I examined Mr. Stephens in Montreal, as follows:

"Q. Did not Mr. Kyle and Mr. Cameron inform you that you were required at the investigation? A. No sir.

Q. Did they not tell you of the evidence as to your personal habits? A. Yes, sir.

Q. And at the request of Mr. Cameron the session was adjourned until Thursday? A. I had no such understanding with Mr. Cameron.

Q. What was the cause of your refusing to attend at these meetings? A. I had no cause.

Q. You knew the nature of the evidence which was being given? A. Yes.

Q. You did not desire to attend? A. Not personally."

With reference to this matter the following examination of Mr. Hays took place:

"Q. Several of your engineers have been—I counted three assistant engineers, transitmen and others—relieved from duty on account of their habits in taking intoxicating liquors, do you approve of that? A. I approve of their being relieved.

Q. It was stated by several witnesses that Mr. Stephens was in that state in Winnipeg, you were not aware of that? A. Counsel called my attention to that statement and said it was not true.

Q. Counsel is not on oath, these men swore to it, I have no doubt about their statement being true? A. I do not know the witnesses; I am not competent to pass on their reliability.

Q. I saw them and examined them very carefully because it was a very serious matter; do you not think that is a serious statement to make, Mr. Hays,

against any man especially a chief of the road? A. If it is true it is very serious."

Mr. Jennings being asked his opinion of having at the head of such a work as the Grand Trunk Pacific an engineer who had been sworn to with having been under the influence of liquor at various times, answered:

"I think it is a very bad thing to have a man of that description in charge of any important work. The mere fact of a man taking a glass of whiskey and water when he feels after hours that he needs it I do not consider anything, but as you say he has been under the influence of liquor at times when he should be attending to his official duties then I do not think such conduct should be entertained.

Q. As an engineer in charge of large works, that is what I am asking you with reference to? A. Yes; if you undertake to keep a man of that disposition it would be at a great deal of personal discomfort and annoyance. I have had to put up with that and I speak feelingly about it."

The evidence given with reference to Mr. Stephens' habits only corroborated my own opinion formed while examining him. On the 31st May in Montreal while proceeding with the investigation there I was compelled to adjourn the meeting at the request of the Grand Trunk Pacific counsel to enable him to produce Mr. Stephens. This he could not do, and I again adjourned the meeting until 8 p.m. when I was informed that Mr. Stephens was not in a position to be examined that evening. His condition undoubtedly was the cause of his answering questions in a contradictory manner.

Representations as to Employment of Aliens.

The evidence shows that on the 16th June 1903, complaints having been made that American engineers were being engaged and Canadians engineers being refused employment, the matter was brought to the attention of Mr. Hays. Mr. Hays wrote the Right Hon. Sir Wilfrid Laurier as follows:

"I have heard that some of your opponents had on two or three recent occasions made the statement that the engineers and other employees on our Grand Trunk Pacific Surveys were all Americans, and while I shall not take any possible notice of this statement I thought it might be some satisfaction to you to know the exact facts in the case, which are as follows:

We have at present nine surveying parties in the field; of these nine engineers (transitmen) are Canadians, of the nine locating engineers four are Canadians, one an Englishman, one a German and three Americans. Of the entire staff numbering 94, 89 are Canadians, or ninety-five per cent. It is our practice in connection with all our work to give the Canadians the preference where all things are equal as to experience, qualifications, etc."

Mr. Hays being examined with reference to the statements contained in this letter stated that he received the information entirely from Mr. Stephens. The facts were that at the time mentioned—June 16th 1903—there were in the service of the Grand Trunk Pacific the following Americans: J. R. Stephens, Assistant Engineer, G. A. Kyle, Division Engineer, Winnipeg; George A. Knowlton, Division Engineer, North Bay, W. E. Mellen, Chief Clerk at Montreal. Mr. Dixon, an American, in charge of party number one; C. E. Hill, an American in charge of party number 4; Mr. Nutting, an American, in charge of party number 6; Mr. Mayer, an American, in charge of party number 7; and Mr. A. G. Allan, an American in charge of party number 9. Parties numbered 2, 3, 5 were in charge of Canadians; number 8 was not filled at that time; the subordinate officers were Canadians, so that in reality there were only three Canadian locating engineers in charge of parties, while there were five American engineers in charge of parties.

Then on the 12th November 1903, writing to the Hon. the Acting Minister of Railways, Mr. Hays stated as follows:

"As to the nativity of the engineers you will please note that of the 13 engineers employed on the work but three of them are Americans, the others all being British subjects." At that time in addition to the assistant chief engineer, his chief clerk, three divisional engineers, two district engineers, namely, Messrs. McNeill and Jones, Mr. A. G. Allan, office engineer, Mr. H. M. Goodman, draughtsman in Montreal office, Mr. S. H. Mason, draughtsman in Winnipeg office, and Mr. E. McD. Mellen in the Edmonton office, there were Mr. T. C. Taylor, engineer in charge of party No. 1, Mr. J. D. Nelson, transitman in party number 4, Mr. Nutting in charge of party No. 6, Mr. A. A. Meador, transitman, party number 9, F. O. Parsons, leveller, party No. 9, F. S. Rossiter, transitman party No. 15, B. P. Tilden, in charge of party No. 11, Douglas Kyle, transitman, in party No. 11; Mr. Mayer, engineer in charge of party No. 12, and Raymond Heckman, transitman in the same party. The remaining parties were in charge of Canadians, so that out of the 13 engineers in charge of parties on the work there were 4 American engineers besides six subordinates; transitmen, draughtsmen and levellers.

Again on the 21st April 1904, Mr. Hays forwards a list of names given by Mr. Stephens to him to which is attached the following memo:

"Number of men employed on Grand Trunk Pacific surveys, including division engineers and office staffs between North Bay and the crossing of the Saskatchewan River:

Canadians employed . . . . . 297.
Americans employed . . . . . 11.

Of this number two have lived in Canada for four or five years respectively. The total number of men employed.....308.
Percentage of Canadians 96½ per cent., Americans 3½ per cent. Besides the above I find that engineers in charge of parties number 13, 14, 15, 16, 17, 18 are Canadians, as follows: "—then follows a detailed list of the office staffs at North Bay Branch and Winnipeg Branch and names of engineers, transitmen, topographers, levellers and draughtsmen in charge of parties No's 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and Thunder Bay Branches 1 and 2, to each of these parties they added the number of the other men in the party, such as rodman, chainman, axeman, packers, drivers, etc., and gave their nationality as Canadians and who are necessarily local men as transportation was not provided for these positions.

The evidence as already set forth shows that this statement and subsequent statements, dated 13th and 18th and 25th May 1904 do not appear to be strictly accurate. I have already set forth the nationality of the members of these different staffs on the 13th November 1903.

On the last of the three dates above mentioned—25th May 1904, the following Americans were employed that is to say:—J. R. Stephens, Assistant Chief Engineer, W. E. Mellen, his chief clerk, H. M. Goodman his chief draughtsman, Geo. A. Kyle, division engineer, Winnipeg; Geo. A. Knowlton, division engineer, North Bay; C. C. Van Arsdol, division engineer, Edmonton; E. R. McNeill, district engineer, Edmonton; R. W. Jones, district engineer, Edmonton. Office staff at North Bay, G. W. Stadly, chief draughtsman; office staff, Winnipeg, A. G. Allan, office engineer; S. H. Mason, draughtsman; office staff at Edmonton, E. McD. Mellen, chief clerk. Party No. 1, T. C. Taylor, assistant engineer; party No. 4, J. D. Nelson; party No. 7, C. F. Gailor; party No. 9, A. Meador, transitman; F. O. Parsons, leveller; party No. 2 Thunder

Bay Branch, C. D. Fairchild, transitman; S. J. Mayo, rodman; party No. 10, J. A. Green, leveller, and F. W. Fink, draughtsman; party No. 12, W. E. Colladay, engineer; J. C. Baxter, transitman; W. M. Anderson, topographer; party No. 13, L. C. Gunn, transitman; Peter Talbot, leveller; party No. 14, R. A. Henderson, transitman; W. W. Benjamin, axeman; William Green, flagman; party No. 15, F. S. Rossiter, transitman; Gilbert Murray, topographer; party No. 17, John Callaghan, assistant engineer; H. T. Hare, transitman; R. H. Nichoson, draughtsman; party No. 18, D. D. Sprague, engineer in charge, and Douglas Kyle, transitman, or a total of thirty Americans on the whole staff on the said 25th May 1904, in addition to James H. Bacon, Harbour Engineer.

To re-capitulate:

No.			Americans	Canadians.
1.	Chief engineer,	$7,500 a year	1.	
3.	Div. engineers,	$4,000 a year, each	3.	
3.	Dist. engineers,	$3,000 a year, each	2.	1.
1.	Office engineer,	$2,400 a year	1.	
1.	Harbour engineer	$3,600 a year	1.	
20.	Asst. engineers	$1,800 to $2,100, each	6.	14.
19.	Transitmen,	$1,200 a year, each	7.	12.
21.	Draughtsmen,	$900 a year, each	5.	16.
17.	Levellers,	$900 a year, each	3.	14.
15.	Topographers,	$900 a year, each	2.	13.
101.			31.	70.

Or upwards of 30 per cent. Americans in these positions.

Even among the axemen, rodmen, etc., who are to a very large extent local men, it has been proven that at least three, namely, Mayo, rodman, Benjamin, axeman, and Green, flagman, were American citizens.

Attitude Towards American Engineers.

The correspondence between the division engineers, especially Mr. Kyle, and American applicants showed a warm interest in the American applicants as compared with that taken in regard to Canadian applicants. As an example of the replies to such applications by Americans I would refer to letters from Mr. Kyle set forth in the minutes of evidence herewith. A number of these letters from Mr. Kyle to applicants show offers of work to American engineers, but which were at the time refused. He invited not only his nephew but his brother, both instrument men, and employed them in his division, but after the agitation on the Alien Labor question commenced, believing there were too many members of the same family on the road he requested his nephew Raymond Heckman to resign. He, doing so, obtained a position on the C. P. R. where he now is.

As an example of the letters written by him to American applicants the following may be taken:

Winnipeg, May 23rd, 1904.

Frank J. Pingry,
1904 Hawthorne Avenue,
Minneapolis, Minn.

Dear Sir,—

I have your letter of the 12th instant making application for a position on the Grand Trunk Pacific. I am sorry to say at present there is nothing in my division that I can offer you. All the parties are in the field and we

do not anticipate sending any others. However, later on when construction begins there will be openings for quite a number of engineers. Your references are very satisfactory, and should a vacancy occur will bear you in mind. I would advise you to write to Mr. C. C. Van Arsdol, division engineer, Edmonton, N. W. T. and Mr. G. A. Knowlton, division engineer, North Bay, Ont.

Yours truly,
G. A. Kyle,
Div. Eng.

indicating on the part of Mr. Kyle an intention to appoint Americans when construction work began.

While writing to the American engineers offering them positions at $175 per month and expenses he wrote to a number of Canadian engineers offering $150 per month and expenses. (See letters to Mr. E. J. Walsh, Mr. Osborne, and Mr. McConnell, Canadians, and Mr. A. C. O'Neill and others, Americans.

In addition to the applications sent to him by engineers he also received a number of names from Mr. Stephens in Montreal. In answer to the counsel for the Grand Trunk Pacific with reference to the appointing of Canadian engineers he gave the following evidence:

"Q. On your examination you stated it was your instructions from the first to give the preference to Canadians? A. Yes, that was the instructions.

Q. As early, I think, as only one year ago, May 1903? A. I do not exactly remember the date, but it was always understood we would give the Canadians the preference; that was the understanding I had.

Q. Have you intentionally adhered to that policy? A. My records and the records of my office will show that. For instance, there are 7 assistant engineers, and six of them are Canadians, or British subjects, and the other I did not hire myself.

Take the staff I think roughly—I have not figured that up exactly—there are about 15 per cent Americans and 85 per cent Canadians or British subjects.

Q. When you use the term staff what do you mean? A. I mean all draughtsmen, levelmen, topographers, transitmen and including assistant engineers. By the way I did not hire several of the staff as was brought out in evidence. I claim I have carried out my instructions to the best of my ability under the circumstances, whenever we could obtain them. Of course there are one or two cases where I might have brought in men, that is, probably one or two cases where I might have got somebody if I had looked around, but that is all. In the main I have tried to, and I believe I have followed my instructions to the best of my ability; that was my intention."

Mr. Knowlton also in his correspondence with American applicants wrote them encouragingly, as an instance, a letter written on the 8th July 1903, to Mr. E. L. Sparks, Oklahoma City, as follows:

"Dear Sir:

Your letter of June 29th received and in answer would say that at present I have nothing to offer you. Our company object somewhat to hiring men from the United States at present, as they are still having some trouble about procuring their charter. However, nothing would please me better than to give you the position you ask. I remember you very well; as I told you last summer I tried my best to advance your position, but our mutual friend "Mr. Reagan" would not consent to a change. The country through

which I am running lines is practically unexplored, and one of the toughest propositions I think an engineer can get up against on this continent. It may be possible I can offer you something later on. Keep me advised of your address, so that I will know where to reach you."

I have already referred to the case of Mr. Callaghan, where he lost two or three months because of want of knowledge on the part of the division engineer or those in authority at Edmonton, in looking after the supplies and the location of the country. Mr. McLennan in his evidence at Kingston tells of a similar experience under Mr. Knowlton where about six tons of ordinary survey supplies were left in September until the following June with two men looking after them.

It was stated in evidence by Mr. Hays on the 20th July 1904, that Messrs. Van Arsdol, McNeill and Mellen resigned their positions in consequence of this enquiry and my report on their cases.

Capability and Availability of Canadian Engineers.

Mr. Hays and Mr. Stephens having stated that they were unable to obtain capable Canadian Engineers to do the necessary work in connection with this railway I made inquiry with reference to the capability and availability of engineers *bona fide* residents in Canada, and examined a number of eminent engineers on that question. The concensus of their evidence is that there was a sufficient number of capable engineers to perform the work as well as, if not better than, the American engineers appointed, and that had reasonable efforts been made by Mr. Hays or Mr. Stephens they would have had no difficulty whatever in obtaining the necessary talent for the work to be performed.

Evidence of that nature was given by the following gentlemen:—

(Examined in Ottawa):
Collingwood Schreiber, T. C. Keefer, H. Holgate and A. Duffy.

(Examined in Montreal):
James M. Shanly, Prof. C. H. McLeod, P. W. St. George, W. J. Sproule, Brian D. McConnell, J. A. U. Beaudry, E. Berryman.

(Examined in Toronto):
H. D. Lumsden, W. T. Jennings, R. W. Leonard, J. H. Armstrong, E. H. Keating, Prof. John Galbraith, T. E. Hillman, Joseph Hobson, Cecil B. Smith, Arthur H. N. Bruce, A. F. McCallum, James McDougall, Harry Crewe, J. L. Boyd, John McCunn, H. G. Dimsdale, Alex. L. McClennand, Wm. Mackenzie, President of the Canadian Northern, and Archibald W. Campbell, Assistant Commissioner of Public Works, Toronto, and others.

(Examined in Winnipeg):
John Woodman, Francis F. Busteed, James A. Hesketh, Thomas Turnbull, Zeph Malhiot, R. Fowler, R. C. McPhillips, C. A. Milliken, H. Patterson, John Irvine, D. E. Gibson.

(Examined in Edmonton):
Alex. J. McLean, the town Engineer.

(Examined in North Bay):
R. H. Russell, R. Laird.

(Examined in Kingston):
Thos. W. Nash, A. K. Kirkpatrick, Major Panet, J. L. H. Bogart, Prof. Robert Carr-Harris, Hon. Wm. Harty, and others.

The evidence of Mr. Jennings given on the 13th June may be taken as covering the evidence given by the other witnesses with reference to the question of capability of our Canadian engineers as compared with the American engineers. In his evidence he states:

"My opinion in connection with this whole matter is that there was not the slightest necessity to go outside of Canada for any officer of any degree from the highest to the lowest in connection with the construction of that proposed railway or any other public work in this country, or for harbors, docks, canals, railways, bridges, or any other feature such as electrical, hydraulic or mechanical." Being told that Mr. Stephens said he had exhausted every effort to get Canadians he answered:

"I do not know the gentleman, never heard of him before, nor do I know what method he pursued, but I am sure that he could not have taken the usual vehicle for obtaining such information and such assistance otherwise we would have heard of it. We have in Canada a very large organization (The Canadian Society of Engineers), probably the third in the world, through whose agency assistance could have been rendered. From my knowledge of these organizations in this country . . . I think there would have been no difficulty in obtaining in a trustworthy way the information desired, indeed this feature was partly the cause for the formation of these societies, which were established to assist in these and other matters of an educational and engineering character, not only for the supply of engineers but to assist members of the profession in obtaining continuous work, the practice being that when an engineer finds he is nearing the completion of an undertaking and wishes another engagement he sends to the secretary of such organization a memorandum to that effect. His name is then put on the list which any member or friend through a member may have access to."

With reference to the appointment of American engineers on this road, he said:

"Allowing that two men were alike equal in professional ability, the one conversant with the country and the ways of the country should certainly be better able to get about and do the work for his employers in a more rapid and less expensive way than a stranger. There is no question about that."

With reference to the qualifications of American Engineers as compared with Canadian Engineers Mr. Jennings was asked as to an article in the Cleveland "Plain Dealer," copied into a Canadian newspaper published during the inquiry, in which it was stated:

"The British experts reported that certain routes were impracticable or even impossible. American engineers, fresh from their experience in their own mountainous sections thought and demonstrated otherwise. In consequence the Canadian Pacific did not have to hover on the slope of the Rockies."

Mr. Jennings replied as follows:

"What I wish to say is, I am not speaking in my own personal interest at all, but in the interest of Canadian engineers, I am not an aspirant for any office in this concern, and I am speaking in a thoroughly non-personal manner and for the good of the engineers of this country. Now, this "Plain Dealer's" statement is wrong, and wherever the American locations were followed this country and the Canadian Pacific Railway directly have suffered.

They have a summit of two thousand feet higher than we under the government had. They have a line of railway shorter, but with heavy grades, and thus in reality longer as a matter of haulage. So far as I can see their work was a succession of blunders in that way. A four per cent. grade—just think of building up to the summit of the Rocky Mountains in the belief you

were getting a two per cent grade and find it four! That is not very good engineering."

Upon being asked as to the availability of Canadian engineers he answered:

"I think that in Canada at the present moment with those salaries we could quite easily get every man necessary to equip two outfits for roads across the continent. Twenty-five years ago for the government works there was no difficulty in getting men. There were always three or four hundred applicants beyond those that could be taken. Since then our country has grown in population; we have more engineers, better trained engineers, and I am safe in saying that we could now get three to one."

Upon being cross-examined by the Counsel for the Grand Trunk Pacific he stated:

"I generally know, and think I am safe in my statement regarding it, the special feature in connection with the new matter, the Grand Trunk Pacific Line is the length of engagement, a point always looked to by those in and out of employment. For instance, a man might be in receipt of the same salary that he would be looking for under new circumstances, but in the new scheme he would see five to ten or fifteen years engagement ahead of him, and that would bear a great deal of weight in his decision. Now, from men I know, I am speaking as definitely as can be spoken to, I am not an employment agent but I meet a great many engineers and employ a good many and get employment for a good many who I do not know personally direct."

Being asked by the same Counsel if there were any American engineers employed on the Canadian Pacific work (the original location and construction) he answered there were half a dozen:

"Q. That does not account for it being so well done? A. No, I do not know that. I am a great admirer of some American engineers, and have had a good deal to do with them, and I am not going to make any assertion or cast any aspersion on American engineers. The coming of those men to the Pacific coast section during construction was probably and relatively speaking just about like the coming of the men on this survey, but in a lesser degree.

Q. The same policy was adopted at that time that has been adopted since to a large extent? A. The Americans have a different method from the Canadians. Their managers have a 'following', as it is called, down to their secretary, whom they take with them wherever they go, and they think no one else on the face of the earth will suit them except those men. That accounts for it. We brought in Americans to carry through our first syndicate scheme, and then our Canadian Company thought wise to bring the men referred to, whose actions were supervised by Canadian engineers: that is so far as part of my construction charge was concerned on the west coast, they were all under me, the very men you speak of."

With reference to the statement of Mr. Stephens that he applied to Mr. Tye and Mr. McHenry with reference to the employment of engineers, Mr. Jennings was asked by Counsel for the Grand Trunk Pacific:

"Q. Then Mr. Tye of the Canadian Pacific would have been a proper man to apply to and Mr. McHenry; they would have been men that could have given him some assistance? A. No, I think their knowledge of Canadian engineers would be exceedingly limited, they are practically Americans, and comparatively new comers to the country.

Q. I was not aware? A. Mr. McHenry is an American.

Q. But not Mr. Tye? A. He is practically so, I have heard.

Q. You would think a man was wise in getting information from them? A. I think he would be quite right in going to them after exhausting every other move.

Q. My learned friend has asked you the advantages that Americans would have over Canadians in doing the work, I suppose that is a matter for the men who are paying the amount? A. I should think it would be, but the men who are paying the money should see that they were getting the best value for their money."

On re-examination he was asked:

"Q. Do you find Canadian Engineers equal in ability to the American Engineers? A. Certainly, sir, they are trained in the same way, they are trained more thoroughly I think. Taking them all through I think the young men coming on are better trained. The best evidence of that is we have many of our young men in the States now occupying good positions."

Understanding that Sir Sandford Fleming was on his way to England and that I would be unable to examine him I addressed a letter set out in the minutes of evidence and in answer thereto obtained a statement from him also set out in the minutes of evidence. Although I have set this statement out in the minutes of evidence it is not in a legal sense evidence taken under my Commission and my findings have been arrived at irrespective of same. I may, however, be permitted to give the following extracts from his statement:

After referring to the Railways which had been located and constructed under himself as chief engineer he says:

"All the engineers under me on the Intercolonial, the Newfoundland and the Canadian Pacific Railway explorations, location surveys, or construction, were Canadians. Some were born in the United Kingdom, but all were British subjects and all were residents in Canada or in some portion of British North America when they were engaged. Such engineers were quite equal in ability and generally speaking were fully as capable in the performance of their duties as any engineers from the United States whom I have known. No difficulty was experienced in securing Canadian engineering talent forty years ago for the Intercolonial Railway and since then for the Canadian Pacific Railway. A large number of men have gained good experience on these and other lines. The Military College at Kingston and the Canadian Universities have long been training young men for engineering work and many of them have for years been employed on the survey and construction of railways and other work, and are now quite ready to fill similar positions. I am perfectly satisfied that we have to-day in Canada an ample number of skilled men to carry on and complete the new national railway. As to the rates of salaries mentioned in the questions, they are considerably higher (nearly double in some instances) than the salaries which were paid in my time to the best men of their class on the Intercolonial and Canadian Pacific Railway. I feel confident that such rates of pay should attract an excellent staff of engineers without looking for a field for them.

The work performed by the Canadian engineers on the several undertakings to which I have referred, bears enduring testimony to their attainments. If we turn for a moment to the work of these Canadians between the years 1871 and 1880, in connection with the Canadian Pacific Railway, we have the very best evidence of the value of their qualifications. Moreover, if we follow the enquiry we are afforded the means of comparing their work with the work accomplished in the same field by engineers from the United States.

At the close of the period named, the Canadian Pacific Railway was under active construction at both ends and in the middle. An admirable location for

it was found through the Rocky Mountain zone with gradients quite as good from end to end as on the railways in a comparatively level country like Ontario. All was accomplished by Canadians without seeking for the smallest assistance from alien talent.

We now reach a date when engineers from the United States were called in and who after controlled the location of a portion of the first transcontinental railway. Fortunately they could make no change in the location of those portions of the line in process of construction by the Government, east of Winnipeg and west of Kamloops; but changes were sought for and made by them with a free hand between Winnipeg and Kamloops. Under the new regime the excellent location of the Canadian Engineers was set aside and on this section a greatly inferior location adopted. Thus it was that the Canadian Pacific Railway has been lowered in its engineering features, especially through the mountains. Thus it was that blemishes of a grave and costly kind have been bequeathed to all future generations, for the blemishes referred to are of a character which time cannot lessen or remove; and thus it is that the daily cost of operating the line for all time has been increased. For these regrettable defects the Canadian engineers are in no way responsible; but to all who know the facts they bring out in striking contrast the results of the labours of the two sets of engineers.

Turning to the Intercolonial Railway from Nova Scotia to Quebec, it is universally recognized by all capable of judging that the engineering character of that undertaking is of a high order, and it is due to my old staff of Canadian Engineers that I should give them full credit for their work. With a full knowledge of the facts I have no hesitation in saying that there is not on the American Continent a more carefully located and constructed line of railway.

I need not multiply examples I give two which have come directly under my personal knowledge in support of the view I have long held and still hold. I am firm in the convictions that the United States Railway Engineers have no qualifications superior to the qualifications of Canadian Engineers, and that the Canadian Engineers have special qualifications and methods for doing effective work under Canadian conditions which are not possessed in the same degree by alien engineers whose training and experience have been under different conditions.

While I know well that our own people are quite capable of constructing our own railways, I have not the slightest dislike for United States Engineers. For more than thirty years I have been a member of the American Society of Civil Engineers and have had the advantage and satisfaction of making the acquaintance, among my fellow members, of men of the highest type whom I greatly esteem and respect. Canada and the United States are very near to each other and they have many ties. We are on friendly relations with our neighbors and give cordial welcome and employment in Canada to citizens of that Country or indeed skilled aliens from any land. We are the gainers eventually if they can teach us anything we do not know, or if they can do anything better than ourselves. All are placed much on the same footing as our own people. If aliens cannot do better work there is no justification for them receiving better pay and a preference to Canadians.

In these few words I have had reference to ordinary cases. The questions I am endeavoring to answer have reference to no ordinary case. Canada is embarking in a great national enterprise involving not simply an enormous expenditure, but an interesting and vitally important national problem —a problem on which to a very great extent hangs the destiny of our country. To solve the problem as it should be solved, will require able upright engineers in full sympathy with our national aims and aspirations.

Why do we want such men?—what need for men of high principles, probity and patriotism?—men who are imbued with the spirit of true Canadians? The answer will be found in the enclosed paper containing my views on the Canadian Transcontinental Railway submitted in October last to the Quebec Board of Trade. I ask you to regard the views therein expressed as part of this letter.

In that paper I allude to the new national railway and point out that its chief object is to connect the Canadian prairie wheat fields with Canadian sea ports by a great modern highway; a highway so perfect in its location and construction that it will amply fulfill the purpose for which it is designed. You will notice that I attach very great, and I am sure no thoughtful well-wishers of Canada will say that I attach undue importance to the labours of the engineers on the proper location of the national line of transport. I regard the engineers as having much in their power for good or evil. Their labours may be crowned with success, or if set about in a perfunctory way, the great national object may be defeated. Obviously the appointment of engineers is not a matter of indifference, as they may practically "make or mar" the designs of the Government and Parliament.

I have said enough to indicate that I would regard it as a national calamity, if the establishment of the national transcontinental railway in its vital parts, fell under the complete control of men who are not Canadians in spirit, men who have no proper appreciation of the national importance of the great undertaking,—or who would prove unfaithful to Canadian interests."

Accompanying this statement are extracts from views of Sir Sandford Fleming contained in a pamphlet entitled "The New Canadian Transcontinental Railway" referred to above and also a profie of that part of the Canadian Pacific Railway between Winnipeg and Kamloops which gives a much clearer idea of the blemishes or defects than even the clear description given by Sir Sandford Fleming as above and also as given by Mr. Jennings.

In addition to the evidence of the engineers above mentioned who were unanimous in stating that Canadian engineers were not inferior to the American engineers for the work in question, and some of whom stated that they were superior, having a better knowledge of our northern country, and that a sufficient number were available for such work at the salaries offered, I examined Mr. William Mackenzie whose firm are constructing the Canadian Northern Railway, and he stated that he did not know a single engineer in connection with that railway who was an American. I also examined Mr. A. W. Campbell, Assistant Commissioner of Public Works for Ontario, and a Civil Engineer, and who had charge of the construction of the Temiscaming and Northern Ontario Railway. He stated that he had no difficulty in obtaining Canadian engineers to take charge of the location and construction of that railway, in fact he had so many applications that he did not know what to do with them.

Conclusion.

As the result of the evidence taken before me during the investigation I am of opinion that there was no earnest endeavor made to obtain Canadian engineers for the location of the Grand Trunk Pacific Railway by those having authority to employ such, that had such an effort been made there would have been no difficulty in obtaining a sufficient number capable not only of locating but of constructing the whole work. In the word "engineers" I include all from the chief engineer and harbor engineer to the transitmen, draughtsmen, levellers and topographers. There was, however, a very earnest desire to obtain American engineers for the work, and in some

cases applications were made to the heads of other railway companies to relieve men for the purpose of having them brought to Canada to be employed on this road. I have already stated the number of American engineers so employed. I find also from the evidence that the Canadian engineers are not inferior to the American engineers for the work in question, but having a superior knowledge of the country they are better qualified for that work. I also desire to state that the Canadian engineers are not asking for protection for themselves, but merely desire that no discrimination be made against them. That discrimination has been made against them, in my opinion, there is no doubt.

In concluding my report I desire to express my high appreciation of the able assistance given to me by Mr. Mowat in the conduct of the inquiry.

I have the honor to be,

Sir,

Your obedient servant,

JNO. WINCHESTER,

Commissioner.

APPENDIX

MINUTES OF EVIDENCE

MONTREAL, 30th May, 1904.

The Court House, 12 noon.

OPENING OF THE COMMISSION.

PRESENT:

His Honour Judge Winchester, Commissioner, W. H. Biggar, Esq., K.C., Counsel for Grand Trunk Pacific, A. E. Beckett, Esq., K.C., Counsel of Grand Trunk Pacific.

His Honour Judge John Winchester reads the Commission appointing him, as follows:

CANADA.

EDWARD THE SEVENTH.

by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas.

KING, Defender of the Faith, Emperor of India.

To all to whom these presents shall come, or whom the same may in anywise concern..... *Greeting:*

WHEREAS by a report of the Committee of Our Privy Council for Canada, approved by Our Governor General on the twenty-third day of May one thousand nine hundred and four, an extract of which is hereto annexed, provision was made as in said extract set forth for an investigation by Our Commissioner hereinafter named to ascertain the names, nationality, nature and time of employment, remuneration and actual bona fide residence at the time of employment of each person heretofore or at present employed in connection with the surveys of the proposed Grand Trunk Pacific Railway, and also as to the names of all the Canadians or bona fide residents of Canada who have made application for such employment, the nature of the employment applied for and the result of such application.

NOW KNOW YE *that* We, by and with the advice of Our Privy Council for Canada, do by these presents nominate, constitute, and appoint HIS HONOUR JOHN WINCHESTER, Judge of the County Court of the County of York, in the Province of Ontario, to be OUR COMMISSIONER to conduct such enquiry. And We do hereby under the authority of the Revised Statutes of Canada, Chapter 114, intituled "An Act respecting Inquiries concerning public matters", confer upon you Our said Commissioner the power of summoning before you any witnesses and of requiring them to give evidence on oath, orally or in writing, or on solemn affirmation, if they are persons entitled to affirm in civil matters, and to produce such documents and things as you, Our said Commissioner shall deem requisite to the full investigation of the matters into which you are hereby appointed to examine, inquire into and investigate.

TO HAVE, hold, exercise and enjoy the said office, place and trust unto you the said John Winchester together with the rights, powers, privileges and emoluments unto the said office, place and trust, of right and by law appertaining during pleasure. And We do hereby require and direct you to report to Our Minister of Labour of Canada the result of your investigation together with the evidence taken before you and any opinion you may see fit to express thereon.

IN TESTIMONY whereof We have caused these Our Letters to be made patent and the Great Seal of Canada to be hereunto affixed. WITNESS: Our Right Trusty and Right Well-beloved Cousin and Councillor, The Right Honourable SIR GILBERT JOHN ELLIOT, Earl of Minto, and Viscount Melgund, County of Forfar, in the Peerage of the United Kingdom, Baron Minto of Minto, County of Roxburgh, in the Peerage of Great Britain, Baronet of Nova Scotia, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, etc., etc., Governor General of Canada.

At Our Government House, in Our City of Ottawa, this Twenty-third day of May, in the year of Our Lord one thousand nine hundred and four and in the Fourth year of Our Reign.

BY COMMAND.

(Sd.) JOSEPH POPE,

Under Secretary of State..

EXTRACT FROM A REPORT OF THE COMMITTEE OF THE HONOURABLE THE PRIVY COUNCIL, APPROVED BY THE GOVERNOR GENERAL, ON THE 23RD MAY, 1904.

On a Report dated 19th May, 1904, from the Minister of Labour, representing that numerous complaints have been made to the effect that aliens, not being *bona fide* residents of Canada, have been and are being employed to make surveys and perform other work in connection with the proposed National Trans-Continental Railway to the exclusion of Canadian citizens and British subjects; that it is expedient to ascertain whether, and if so, to what extent, the said complaints are well founded, and for the purpose that an enquiry be made to ascertain the name, nationality, nature and time of employment, renumeration and actual *bona fide* residence at the time of employment of each person heretofore or at present employed in respect of said surveys or other work; and also that an enquiry be had as to the names of all Canadians or *bona fide* residents of Canada who may have made application for any such employment as aforesaid; the nature of the appointment applied for and the result of such application.

The Minister therefore recommends that it be referred to His Honour John Winchester, Senior Judge of the County Court of the County of York, in the Province of Ontario, as Commissioner under the provisions of Chapter 114, Revised Statutes of Canada, intituled "An Act respecting enquiries concerning Public Matters" to hold and conduct such enquiries with all the powers conferred upon Commissioners by said Act; that the said Commissioner be allowed the sum of ten dollars per diem, and actual and necessary disbursements, the said Commissioner to report his findings to the Minister of Labour with all possible despatch.

The Committee submit the same for approval.

(Sd.) JOHN J. McGEE,

Clerk of the Privy Council.

The COMMISSIONER: You have just learned from the Commission which I have read the nature and scope of the present enquiry. During our stay in Montreal we will hold meetings in this place every morning at ten o'clock until such time as we have finished hearing the evidence which may be offered. The first witnesses we will hear will be Messrs. Hays, Wainwright and Stephens and we will also hear any other witnesses who may wish to give testimony. I invite the Press to ask all persons who can give any evidence whatever as to the employment of aliens and the non-employment of Canadians to communicate with me either personally or by letter.

Mr. BIGGAR: On behalf of Messrs. Hays and Wainwright I would ask to have this investigation adjourned until Wednesday morning on account of Messrs. Hays and Wainwright being both absent and unable to be present to-day.

The COMMISSIONER: I am desirous of considering everybody's convenience but at the same time having advertised the holding of the enquiry to-day and stating that I would go on with it I trust that we may be able to go on with Mr. Stephens to-day and that the company will place before us such papers and documents as may help in the examination of Messrs. Hays and Wainwright. Where shall we hold the meeting, Mr. Biggar, this afternoon, for we will now adjourn until two o'clock, here or at the offices of the Grand Trunk Railway whichever may be most convenient?

Mr. BIGGAR: In view of the fact that there are 1,400 employees of the Grand Trunk I imagine that it would be preferable to hold the meeting at the Grand Trunk Offices.

THE COMMISSIONER: Very well, we will adjourn until two o'clock at the Grand Trunk Offices. The press, of course, will be at liberty to hear all that is going on as I wish to make it as public as possible and the press will be admitted at all meetings.

MONTREAL, 30th May, 1904.

General Offices of Grand Trunk Railway 2 P. M.

The Commission resumes:

PRESENT:

His Honour Judge Winchester, Commissioner,
W. H. Biggar, Counsel on behalf of the Grand Trunk Ry.

Mr. *Biggar*: I have not as yet been able to get Mr. Stephens. I will now lay before Your Honour correspondence in this office. As mentioned to you I have to leave for Ottawa this afternoon but Mr. A. E. Beckett will follow the case in my stead.

JOHN RITTENHOUSE STEPHENS being duly sworn:—

THE COMMISSIONER: Q. What is your name in full? A. John Rittenhouse Stephens.

Q. You are in the service of the Grand Trunk Pacific Railway? A. Yes.

Q. Since how long? A. Since the 19th February, 1903.

Q. What position do you occupy? A. Assistant Chief Engineer.

Q. Have you been Assistant Chief Engineer since your employment? A. Yes.

Q. All the time? A. Yes.

Q. Who employed you? A. Mr. Hays.

Q. What were you doing when you were employed by him? A. I was on the Santa Fé Railway.

Q. How much salary was offered to you by Mr. Hays when he employed you? A. He offered me six thousand dollars a year.

Q. And that is the salary being paid you now? A. Yes.

Q. What are your duties as Assistant Chief Engineer? A. I look after the surveys and the survey parties.

Q. What do you mean by looking after the surveys? A. Having charge of all survey parties.

Q. Now, what does having charge of them, really mean, tell me? A. It is simply engaging the survey parties and getting engineers.

Q. When getting them do you do it personally? A. Personally I appoint most of the subordinates.

Q. Are they all responsible to you? A. They are responsible to me.

Q. In connection with these surveys? A. Yes.

Q. What surveys do you refer to? A. The surveys from North Bay west through to the Pacific coast.

Q. There is nothing east of North Bay? A. Nothing at all.

Q. And you appoint all the men who have charge of these surveys? A. No, I appoint divisional engineers and they appoint other men.

Q. You appoint the divisional engineers? A. Yes.

Q. They are responsible to you for the work? A. For the work that is done.

Q And do they report to you? A. Yes.

Q. How often? A. Every week.

Q. Do they report the number of men they employ? A. No, we generally know.

Q. Do you mean to say that they could appoint any number of men without your knowledge? A. They fill up a party to the best of their ability.

Q. About how many men constitute a party? A. 18 to 20 men.

Q. How many parties are there? A. 19 or 20 now.

Q. When you first started in 1903 how many divisions were there? A. Well there were none at the time the survey started out. The first men employed were Mr. Hannington and Mr. McLellan; then, after Mr. Smith, I think his name is and Mr. Leonard.

Q. There were four divisions? A. Yes.

Q. Then you organized divisions? A. Yes.

Q. How many did you organize? A. Two at the start under Mr. Hannington and Mr. McLennan.

Q. When were these divisions organized? Have you got any data? A. Yes. We have got data down in the office and I can tell you very closely. It might have been in March. We had to wait for the breaking up of the ice.

Q. In March 1903 A. Yes.

Q. Then you increased until how many to-day? A. We have about 20 altogether. That includes everything.

Q. And in each division there are how many men? A. Probably twenty men in each division.

Q. You appoint the divisional engineer and he appoints his parties? A. Yes.

Q. Do you not appoint any subordinates? A. They come under our control.

Q. You recommend subordinates? A. Yes.

Q. There are only three divisional engineers but there are 20 or 30 men under them? A. Each one has about seven parties.

Q. Out of these parties how many do you employ yourself? A. You mean from this office?

Q. Yes from this office. A. We had three divisional engineers and probably one or two assistant engineers.

Q. That is all you employed. A. Yes.

Q. Can you give me the names of those you employed? A. Yes, but they are on the road at the present time.

Q. Where can we get the correspondence? A. I have it in the files but it will take me some time to give the statistics in a good form.

Q. Where are the statistics? A. Down in my office.

Q. In what shape are they? A. We have them filed as the reference before you. We have the whole correspondence there.

Q. Could you get me that correspondence without too much difficulty? A. Yes.

THE COMMISSIONER: I would like to have all the correspondence you have in connection with the men now employed; where they come from. Not only the correspondence in relation to their employment but with reference if possible to where they came from originally.

Q. Can you say what three divisional engineers are with you now? A. The three divisional engineers employed now are Van Arsdoll, G. A. Kyle and Knowlton.

Q. When were they employed? A. Kyle was employed in March 1903, Knowlton in March 1903 and Van Arsdoll in August 1903.

Q. How did they come to be employed? A. We asked them if they would accept these positions.

Q. Where were they at that time? A. All in the United States.

Q. What is the relationship between you and Kyle? A. None whatever.

Q. Nor with Knowlton nor Van Arsdoll. A. No, sir.

Q. What part of the United States did Knowlton come from? A. He was born in Quebec. Was in New York Central when we employed him.

Q. How long had he been in the United States when you employed him? A. He was recommended.

Q. By whom? A. By the New York Central people.

Q. How did they come to know you wanted people? A. They knew only as these applications came up, this was in the early days.

Q. Had you any correspondence in reference to the matter? A. I have no correspondence as far as Mr. Knowlton is concerned unless in this bundle.

Q. There would be correspondence or you would have had a verbal understanding yourself? A. He came by himself.

Q. Did you correspond with him? A. I did not.

Q. Who brought him here? A. I do not know.

Q. Who is the other man? A. Van Arsdoll.

Q. Where did he come from? A. From Seattle, Washington.

Q. In August 1903 I believe? A. Yes.

Q. How did he come here? A. I asked him to come.

Q. You wrote him? A. Yes.

Q. I would like to get the correspondence in this matter. Now is there any person else in connection with the division engineers with whom you had correspondence? A. Yes, there is one man who has come over recently,—Collady.

Q. Where is he from? A. Chicago; I happened to meet him when I was in Chicago and he asked me for a position.

Q. And you told him there was one? A. Yes.

Q. Where is he now? A. He is west of Winnipeg, as far as I remember in party 11 or 12.

Q. Who is in charge of that party? A. Mr. Collady.

Q. He is division engineer? A. Yes, he replaces Mr. Kyle's brother.

Q. Where is Mr. Kyle's brother? A. He is transitman out with Van Arsdoll.

Q. What is a transitman? A. He is a man who runs the instruments. (Theodolite)

Q. G .A. Kyle is his brother? A. Yes.

Q. He is an American citizen? A. Yes.

Q. And where is G. A. Kyle's brother? A. His brother is in one of the parties near Edmonton working as transitman; only as transitman.

Q. You say there are 19 or 20 parties. Knowlton was division engineer for five parties. A. Yes he has five parties.

Q. And George Kyle from six to nine? A. He has about seven parties?

Q. And Van Arsdoll about seven parties? A. Yes.

Q. And before he was division engineer? A. He had charge of work in British Columbia but since then had not been doing anything.

Q. You have as assistant engineer E. R. McNeill? Did you appoint him? A. Mr. Kyle did.

Q. You do not know when? A. I think it was in August 1903.

Q. What do division engineers receive as salary? A. $4,000 a year.

Q. This would cover all expenses? A. We pay their expenses when they are out on trips.

Q. What do transitmen receive? A. Transitmen receive $100 per month.

Q. The assistant engineers? A. $175 per month and some $150 per month.

Q. Draughtsmen? A. Draughtsmen receive —well it depends on their work—from $75 to $90.

Q. Topographers? A. We have been paying from $75 to $80.

Q. These are skilled men? A. Yes.

Q. Now, what other men are there in parties? A. Chainmen, axemen, flagmen, in fact every kind that go to make up a survey party.

Q. How much do they receive? A. $45 to $50 a month I think. A cook ought to get $100 but he does not. They range from $45 to $60. We have adopted the same rate as paid by the C. P. R., the Temiscamingue and other railways in Canada.

Q. Who pays these men? A. They are paid from Montreal.

Q. Every man in connection with a party is paid through Montreal? A. Through Montreal.

Q. Pay lists showing their names and amounts due them are made out in your office? A. Yes, pay lists are made out on receipt of returns.

Q. Sent in direct by the division engineers? A. Yes, direct by the division engineers.

Q. Have you any communication with the engineers of the parties. Do you know who they are from here? A. No, except when the pay lists are sent in here. We have the final revision or rejection, but the matter is arranged in the three offices, North Bay, Winnipeg and Edmonton.

Q. Now, what party at North Bay reports to you? A. Mr. Knowlton.

Q. How many parties has he? A. There should be seven parties, but one or two have not been filled.

Q. Not filled yet? A. Yes.

Q. How many men would he probably have with him? A. That is pretty hard to say.

Q. The pay lists would tell? A. The pay lists would tell, but we ship a whole lot of goods by contract through the Hudson's Bay Company and by others and they also might be considered as employees of ours to a certain extent, as the Hudson Bay people should have nothing to do with them.

Q. About how many men are in the parties? A. There would probably be 15 men to each party.

Q. There would probably be about 100 men in the North Bay division? A. Yes.

Q. So that if I were to examine any of these parties, North Bay would be the proper place? A. The only place.

Q. At Winnipeg who has charge? A. Mr. Kyle.

Q. And he has a similar number of men? A. Yes, practically the same.

Q. Then there is Mr. Van Arsdoll at Edmonton? A. Yes.

Q. He has a similar number? A. Yes.

Q. Can you give me a list of these parties from your books? A. Yes.

Q. Can you tell me when they were appointed? A. Yes.

Q. And also where they were first employed A. Yes, I think I can. I think that in nearly every case the subordinates have all been picked up on the ground. The reason for this is that the C. P. R. have cut off our pass privileges and we cannot send men out there unless their transportation is paid. We have thus employed local men in these places.

Q. In addition to these three divisions, you have a staff at Winnipeg? A. No, that is part of the division.

Q. The officers are appointed by you? A. That is one officer, Mr. Kyle himself.

Q. But I thought there was a staff at Winnipeg in addition to the division? A. No.

Q. Everything, then, is controlled through Montreal? A. Yes.

Q. I thought you had the same staff here that he had at Winnipeg? A. No, there is no staff at Winnipeg.

Q. Then Mr. Knowlton would have employed the man in charge of each party and the man in charge of this party would have employed the men under him? A. Yes, that is the general rule. There may be a few exceptions, and I would be glad to show them to you.

Q. Can you tell me the men in charge of each party? A. Yes.

Q. You have a list which I think you gave to Mr. Hays himself? A. Yes.

Q. Mr. T. C. Taylor has charge of a party? A. Yes, Mr. Knowlton employed him.

Q. At what salary? A. $175 per month.

Q. He is an American citizen? A. I do not know.

Q. Do you not know that he is? A. No.

Q. Mr. C. F. Hannington? A. Mr. Hannington is a man I employed. He is now working north of Lake Nepigon. He is what we call a district engineer.

Q. That is a new term. We have not had that yet? A. No.

Q. Now we have division engineers and we have district engineers? A. Yes.

Q. How many district engineers? A. Three

Q. Are district engineers ever put in charge of certain territory? A. No, they look after special cases, and look after the work of probably two or three parties.

Q. All these parties are under the control of an assistant engineer? A. Yes.

Q. These district engineers are controlled by the division engineer? A. Not really controlled by him, but they simply make the parties in the survey work in conjunction.

Q. Mr. Hannington, then, is one of the first district engineers named? A. Yes.

Q. Tempest took Mr. Hannington's place as engineer in charge of party No. 2? A. Yes, as engineer in charge of No. 2.

Q. Mr. McLellan is in charge of No. 3? A. Yes, he was, but he has quit.

Q. Do you remember when he left? A. About two months ago.

Q. Where is he now? A. He lives in Ontario.

Q. Who took his place in charge of No. 3? A. It is not filled yet.

Q. Who is in charge of it now? A. Mr. McLellan came out just before the break-up and we have not filled it; it is blank.

Q. And No. 4 party? A. Mr. C. R. Boucher was originally the engineer in charge.

Q. There is a J. D. Nelson in No. 4 party? A. I think not.

Q. Where is J. D. Nelson? A. He is connecting a line between parties Nos. 3, 4 and 5.

Q. I think J. R. Ballack is in No. 5? A. Yes.

Q. Knowlton has No. 5 now? A. Yes, that is within his province.

Q. When was he appointed? A. I cannot say without looking up the records.

Q. You cannot tell me of any of these men without looking up the records? A. I would not like to, for fear of making a mistake.

Q. Did he leave Canada and return to the United States? A. No, I think not.

Q. Then as to the Tempests? A. There are two brothers of them, J. E. and J. S.

Q. What are they? A. They are Canadians.

Q. Where were they employed? A. I do not know: Mr. Knowlton got them.

Q. What is C. R. Boucher? A. A Canadian.

Q. And Mr. Knowlton employed him? A. Yes.

Q. Mr. Knowlton? A. Mr. Knowlton is an American, I think.

Q. From whom can I ascertain it for a fact? A. From Mr. Knowlton himself. I did not ask these facts. I would not like to swear to the nationality of these men on the Bible, but I think we can come pretty close.

Q. G. R. Balleck? A. He was a transitman on one of these parties, and when McCarthy resigned Mr. Balleck was appointed in his place. Mr. Balleck is a Canadian, I am confident of that.

Q. Nutting, what about him? A. He is an American.

Q. He is engineer in charge of No. 6? A. He was, but he quit.

Q. Where is he now? A. In New York.

Q. When did he leave? A. About two months ago.

Q. And Mr. J. S. Tempest took his place? A. Mr. J. S. Tempest took his place.

Q. What is Tempest? A. He is an Irishman I think he is a British subject, I do not think he is a Canadian.

Q. L. R. Ord in charge of No. 8? A. He is a Canadian and a member of the Canadian Society of Civil Engineers.

Q. Do you know where he is employed? A. Employed right here.

Q. A. G. Allan, in charge of No. 9? A. Allan was born in India and has three brothers in the English army. Two of them fought in the Boer war.

Q How long has he been in the service? A. Ever since last May (1903), just about a year.

Q. Now, there is J. Heaman? A. Mr. Heaman is a young man who replaces Mr. Allan when Mr. Allan is away. He was called into the office in Winnipeg, and he is a Canadian and comes from Toronto.

Q. The office in Winnipeg? I thought you had no office there? A. That is the ordinary division office.

Q. C E. Perry, has he charge of any party? A. Yes, in charge of a party at Thunder Bay. He came to us from the Trans. Canada; he formerly had charge of their work in the vicinity of Port Simpson.

Q. He is an Englishman, I understand? A. Yes.

Q. Mr. W. H. Mitchell? A. Has charge of a party next to Mr. Perry's party in the north; he is a Canadian. He came into the office asking for employment, and I employed him; he never presented testimonials or anything; I took him on his appearance.

Q. Kelliher is in charge of No. 10? A. Yes.

Q. Did you employ him? A. Yes.

Q. Direct from the head office here? A. Yes.

Q. When was he employed? A. He was employed about — —. I would not like to say as to the time of year.

Q. Kelliher is an Irishman from the United States? A. I do not know whether he is an American citizen or not.

Q. And he came directly here for this work? A. Yes.

Q. How did he know that you wanted him? A. There had been a good deal of correspondence, not directly with me, but he wrote to others and I answered him.

Q. What part of the States did he come from? A. Utah, Oklahamo.

Q. Where is No. 10 party? A. Just on the western boundary of Ontario.

Q. That would be in connection with the Winnipeg division? A. It belongs to Kyle's division.

Q. Darey? A. Came to us from the Canadian Northern. He is an old Canadian engineer.

Q. Party No. 12 was Mr. Collady's. A. As I said before, Mr. Collady is an American. I met him in Chicago.

Q. There are some seven or eight more parties? A. Yes, west.

Q. Have you any list of these? A. Yes. I can furnish you with this list any time you like. You will find that out of these seven or eight parties at least seven are Canadians. That is exactly what you will find.

Q. D. Robertson, what is he? A. He is Kyle's secretary out there.

Q. Who employed him? A. Mr. Kyle employed him himself. I do not know where he got him.

Q. And Mr. A. A. Eggo? A. He is one of Mr. Kyle's assistants in the office. He is a local man from Winnipeg.

Q. S. H. Mason? A. He is a draughtsman in the office; he is an American citizen.

Q. And you can tell me when they were employed and their wages? A. Yes. I will furnish you with that data.

Q. C. Goddard? A. I do not know him. I think he is in Mr. Kyle's office. If so, he is a Canadian. I think he was lately appointed civic engineer.

Q. J. A. H. O'Reilly? A. His name is not familiar.

Q. B. Johnson? A. She is our lady typewriter: the only lady we have on the road. She is a Canadian.

Q. Now, there are some men that I think are assistants? A. There was Raymond Heckman. He was a brother-in-law of Mr. Kyle, but he has gone.

Q. When did he leave? A. About a month ago.

Q. Where was he employed? A. He was a transitman and was in the party that Mr. Collady has charge of now.

Q. Mr. Mayer? A. Mr. Mayer left, and Mr. Heckman was appointed temporarily in his place.

Q. S. H. Mason, transitman? A. I cannot trace him.

Q. W. H. Goodman? A. Mr. Goodman is down in my office.

Q. When did you employ him? A. Mr. Kyle employed him.

Q. Do you remember when? A. I could tell you when.

Q. Where did he employ him? A. He had him come to Winnipeg; he is an American citizen.

Q. R. W. Jones, engineer? A. R. W. Jones is from the C. P. R.; he is one of the old C. P. R. engineers.

Q. W. F. Hare, transitman, do you know him? A. No.

Q. Hicks, transitman, you do not know where he is employed? A. Yes, I could tell you.

Q. Anderson, topographer? A. I cannot say as to him.

Q. Burt—what is his name? A. That is a mythical person. I think he is chief engineer of the Union Pacific. No employment was offered to him, nor was any contemplated.

Q. Are there any other persons you know of, Mr. Stephens, that I have not mentioned? A. There are two—one is Mr. Collady, of whom I spoke —.

Q. I mean in Montreal? A. No, except Mr. Goodman.

Q. Then Mr. Goodman is in the employ of the Grand Trunk Pacific? A. Yes.

Q. How long has he been employed? I suppose he is down in your office. A. Yes.

Q. Goodman and Collady—are there any others that you have employed yourself? A. There is a Mr. Bacon.

Q. Where is he? A. He has been looking over the harbor business. He is not on the railway survey in connection with the Grand Trunk Pacific.

Q. Where is he from? A. I cannot say. I think from Florida.

Q. How long has he been here? A. Since last August.

Q. What do you pay him? A. We pay him $300 a month.

Q. Is he an engineer? A. Yes, he is a specialist.

Q. What is his name? A. James H. Bacon.

Q. What is the nature of his special work? A. Looking after harbor propositions. He is not a railway engineer at all.

Q. Where is he a graduate from? A. I could not say.

Q. Is he up in years? A. I do not know that he is a graduate, and

I do not know his nationality; he may be an Englishman. He is at Port Arthur.

Q. Is his work such as it would be impossible to get any one in Canada to do it? A. Well, I think it would be difficult to do so for this reason. When I started here I asked several of the prominent engineers to accept a similar position, and they invariably told me they were fully occupied at better wages than we could offer them.

Q. Is your knowledge of the engineers in Canada sufficiently wide to let you know whether they could take these positions? A. Personally?

Q. Personally. A. I might be weak on that point. I have consulted Mr. Tye and others and took their advice, and Mr. Tye informed me that he would be perfectly willing to testify at any time, in writing, or verbally, that I had employed every Canadian engineer that he had recommended.

Q. Still you did not limit yourself to employing only those he recommended? A. No, I would not do that.

Q. Now is not $300 a month a pretty good salary for an engineer? A. Yes, but it is only a temporary job.

Q. Could it not in any way become a permanent one? A. No.

Q. Supposing Bacon is an American citizen, could you not have obtained a Canadian equally well qualified to do the work he is doing? A. I have made the effort.

Q. Now, can you tell me from whom you enquired about a man to do the work which Mr. Bacon does? A. No; it is a matter of general talk.

Q. Have you consulted Mr. Tye? A. No, I never talked to Mr. Tye of this harbor man.

Q. Can you remember anyone? A. No.

Q. Have you had applications from Canadian engineers that you have declined? A. Yes, we have had some we have declined.

Q. Do you remember any in particular that you have declined? A. No, except, of course——.

Q. There is a man named Kerle, a civil engineer up west. Have you received his application? A. Yes.

Q. You were unable to appoint him? A. Yes.

Q. Have you any correspondence in this matter? A. There is some correspondence down stairs which I will get for to-morrow morning.

Q. Mr. E. P. Quirk? A. I think I know Mr. Quirk; I think we have some correspondence.

THE COMMISSIONER: I would like to have this before his examination to-morrow, so as to examine him intelligently; and then there is a letter from a Mr. Ghyssens. A. That may be on our file, but I do not remember the name.

Q. You do not remember Mr. Ghyssens? A. No.

Q. There is Peter Talbot; do you remember him? A. No.

Q. Was he not assistant engineer at Saskatoon? A. I do not remember.

Q. Who is at Saskatoon? A. It is in number—there is a man named Hislop. There is some correspondence in the matter.

Q. Mr. P. A. Shaver, do you remember anything about that man? A. No.

Q. In addition to these divisional engineers and assistant engineers, there is a Mr. B. Kelly, locating engineer? A. I do not know. We have no man of the name of Kelly out there. There is a Mr. B. B. Kelliher in charge of No. 10 just west of Winnipeg.

Q. There is another man, Mr. Collier, assistant engineer, Saskatchewan? A. I do not know him. He would be in Mr. Kyle's division.

Q. Now, when you receive applications where do you enter them? A. We answer and file them This is our regular system. We have a great number of applications which come in from parties who do not exactly know what they want. We have to judge from the letters what position the applicant may be competent to fill, and we classify the applications. We cannot tell whether or not these applications are for positions as assistant engineers or subordinates unless we do it from the tenor of the letters.

Q. You send an answer stating the matter will be enquired into? You have a general form for such answers? A. Yes, all our correspondence is in ship-shape order. Everything is in the file.

Q. Now, when an applicant is assigned to a position, where is that entered? A. It does not appear in the correspondence.

Q. Where would that be? A. We just simply write him a letter. It would be in the press book only and would not be on the file.

Q. When is his name first entered in your books? A. On the pay roll about a month after he is engaged. We have pay rolls here and we have pay lists from the different division engineers.

Q. Then you correspond with the different divisional engineers about the men they employ? A. There is a good deal of correspondence and some of it might be material, but I do not think that the greater part of it has any bearing on the case. There might be an exceptional letter here and there.

Q. That is, I can get information from the correspondence much easier? A. Yes.

THE COMMISSIONER: I shall run over the information to-night and save both of us time. I do not want to take up too much of your time, which is valuable.

Q. Have you visited the United States in your endeavours to get men? A. No, sir. I never attempted it, never thought of it. That is the very last idea that ever entered into my mind. This is one thing I am certain of.

Q. Did you personally invite any one from the United States to come over? A. Yes, after I had exhausted every effort to get others here.

Q. Because you could not get Canadians to do it? A. Yes.

Q. Do you know whom? A. I invited Kyle, I invited Van Arsdoll; I did not invite Knowlton——.

Q. Did you invite Mr. Nutting? A. I do not know, as I said.

Q. You did not invite Mr. Colladay and Mr. Bacon? A. No.

Q. Mr. Goodman? A. No.

Q. Any other engineers? A. Not to my knowledge.

Q. Do you know of anyone who has been invited, outside of yourself, of course? You were invited yourself. I think Mr. Hays invited you? A. Personally? Let me answer the first question. I do not know of any except those I mentioned.

Q. You do not know of anyone in whom you had an interest in bringing here? A. Not the slightest.

Q. And Mr. Hays invited you to take your present position A. Yes.

Examination to be continued to-morrow.

Montreal, 30th May, 1904.

Mr. GOODMAN being swown:

Q. What is your full name? A. Herman Mark Goodman.

Q. What is your age? A. Thirty-three years.

Q. Are you married or unmarried?. A. Unmarried.

Q. What position do you occupy in the Grand Trunk Pacific? A. Draughtsman.

Q. In whose office? A. Mr. Stephens'.

Q. When were you employed? A. In July, 1903, but not by Mr. Stephens.

Q. You were first employed in Mr. Kyle's office? A. Yes.

Q. Where were you living when employed? A. Tacoma, Washington.

Q. What salary are you receiving? A. $125 per month.

Q. Was that what you received when with Mr. Kyle? A. No.

Q. What sum did you then receive? A. $100.00.

Q. You have lived in Tacoma all your lifetime? A. No, sir; also in parts of Western California.

Q. Are you an American citizen? A. Yes.

Q. Are you a graduate of any university in the west? A. No.

Q. Now, where did you learn draughting? A. Well, at first I went into an office; and, having done some engineering work, some field work in that time, acquired some experience as a draughtsman.

Q. A self-made man in other words? A. I would not say that.

Q. You were not at any technical school in mining or engineering? A. No.

Q. How long have you been a draughtsman, Mr. Goodman? A. About seven years, as near as I can remember.

Q. You were employed by Mr. Kyle as draughtsman? A. Yes, sir.

Q. How long were you in Winnipeg? A. I do not exactly remember, I think about three months.

Q. And then you came on and have been here ever since? A. Yes.

Examination to be continued.

Montreal, 31st May, 1904, 10 a.m., at Court House.

Mr. E. P. Quirk, being sworn:—

The Commissioner: Q. What is your name in full? A. Eugene P. Quirk.

Q. Mr. Quirk, you complain that you were refused employment by the Grand Trunk Pacific? A. Not exactly refused, I made an application

Q. You made an application and it was not acceded to? A. Yes.

Q. What is your profession? A. Civil Engineer.

Q For how many years? A. I have been thirty years practising in Canada and seven in the United States.

Q. How old are you now? A. Sixty-eight.

Q. And you are still out of employment? A. No, I have more or less employment.

Q. You are desirous of taking charge of a survey party? A. Yes.

Q. Have you any experience of survey parties? A. Yes.

Q. In connection with railway location? A. I made the first survey from Ste. Agathe for that road. I was a surveyor in Newfoundland for railways. I have been on various railway locations.

Q. And what satisfaction did you give? A. Well, they were always pleased and satisfied and I never had any trouble, having been chief engineer on three different roads.

Q. At good wages? A. I got everywhere from $5 to $10 per day.

Q. By the day? A. As chief engineer for some roads I was employed by the month or by the year.

Q. How much did you get as engineer, by the month? A. $250.

Q. What were you doing then? A. I was chief engineer.

Q. For location work? A. On location first and on construction afterwards.

Q. And you received at that time how much? A. $250 per month.

Q. What positions are there in the Grand Trunk Pacific that would be similar to that occupied by you? A. I do not know what there might be, but I applied as chief of a division or a party.

Q. Of a division or a party? A. I think it was a party, but I would have been better satisfied with a division.

Q. How many are usually comprised in a party? A. An engineer, two levellers, and then you have a lot of axemen, chainmen, rodmen, etc.

Q. You think that about twenty men would be sufficient for a party? A. Not always. Twenty men, for instance, back in the mountains would not be enough.

Q. Do you think your age would interfere? A. It has not up to this.

Q. What have you been doing for the last few years? A. I have been engaged laying out side-lines, etc.

Q. That was not travelling through rough districts? A. I have spent several weeks the winter before last on an important work back of the Laurentide Mountains.

Q. How long? A. About six weeks.

Q. In the winter? A. In the very coldest time of the winter.

Q. Might it not be imagined that you are too old to take charge of work in such a rough country? A. I look upon it as quite natural to suppose so. Very few men of my age could get around as I do.

Q. The natural feeling would be that a man of your age would not be equal to such location work? A. It is a natural feeling.

Q. However, that would not apply to construction work? A. Not at all.

Q. They have no construction work now in hand? A. Not that I am aware of.

Q. Do you know of any others who have been refused? A. I have heard several say that they were refused.

Q. Can you give any names? A. There was a Mr. Pinsonneault.

Q. Where does he live? A. In Montreal in Mance street; I think No. 102 is his address.

Q. Any others you remember? A. Well, I remember one told me, but the poor fellow would not be able to get out. He is dying of cancer.

Q. It would be a charitable thing not to employ him? A. Yes, but he was a good man in his time.

Q. Are there any others? A. I cannot name any others It was a general subject of conversation of these men. I have really not complained. As a very natural thing they would not look me up, thinking I am too old.

Q. However, that will not interfere with you for construction? A. No, I think not.

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11 a.m., General Offices of G. T. R., Montreal.

Mr. Henry M. Walker being sworn:—

The Commissioner: Q. What is your name? A. Henry M. Walker.

Q. What position do you occupy with reference to the Grand Trunk Pacific Railway? A. None whatever.

Q. You are in the employ of the Grand Trunk Railway? A. Yes.

Q. Have you any duties to perform in connection with the Grand Trunk Pacific? A. Any disbursements are recorded in my office.

Q. What is the nature of the disbursements made? A. They consist chiefly of pay rolls and expenses of surveying staffs.

Q. Can you give me an itemized account of those who are on the pay rolls? A. I can do it. From date?

Q. Supposing we say for the months of March and April of this year? A. Yes.

Q. Have you the control of any of the men? A. No.

Q. Could you ascertain for me when the payments to the higher classes of officers first commenced? A. Yes.

Q. And the amounts? A. Yes. Down to what grade?

Q. Down to the grade you take charge of. A. We have them from top to bottom. It might apply only to those in the higher grades of employment. This is what you may like to know.

Q. Those particularly. A. We have certain pay rolls in Mr. Stephens' office on which certain names do not appear.

Q. These are what I am also desirous of obtaining, so as to have the whole. A. I will get them.

Q. When were you first instructed to take charge of the Grand Trunk Pacific pay rolls? A. As they came in for payment.

Q. You can give me the date of the first one that came in? A. Yes.

Q. I would like you to do so. A. Just the men who are on the pay rolls paid by cheque and those receiving over $200, showing when they first appeared on the pay rolls, that would answer the purpose as far as you are concerned Mr. Commissioner?

Q. Yes.

Mr. BIGGAR: Mr. Walker has stated that he is not an employee of the Grand Trunk Pacific but that these pay rolls come before him as an officer of the Grand Trunk Railway, and that the Grand Trunk Railway was simply doing this work for the Grand Trunk Pacific, simply advancing the money and looking after the work for the Grand Trunk Pacific.

THE COMMISSIONER: To Mr. Walker. Q. Well, since you are able to prepare them, I will be back by two o'clock if you will have them prepared by that time. A. Yes.

Mr. STEPHENS recalled:

Q. Mr. Stephens, I have one or two names which I received this morning, perhaps you may know them? Mr. Hancock, transitman east of Winnipeg? A. Yes, I remember Mr. Hancock very well. He is in England now.

Q. Is he an American citizen? A. I know absolutely he is not.

Q. He is in England now? A. Yes.

Q. Have you any correspondence about him? A. No.

Q. By whom was he appointed? A. He came up with Mr. Allan, of whom I spoke yesterday.

Q. Where did he come from? A. He came from Chicago. He is not in our employ any more. He returned to England, but I think he will come out again. He is a very good man.

Q. Who appoints these transitmen? A. The local men. They are employed on the ground; with very few exceptions they are employed in the locality where the work is going on.

Q. I am given to understand that Mr. Raymond Heckman is now on the C. P. R.? A. I do not know.

Q. You do not know whether he is on the C. P. R. or not? A. I do not know.

Q. When did you see him last? A. I saw him in Winnipeg about one month ago.

Q. Do you remember for what purpose you saw him at that time? A. It was the first time I met him. We recalled him and replaced him by Mr. Colladay.

Q. Is he an American citizen? A. I think so

Q. Did you employ him originally? A. No.

Q. You have no correspondence with reference to his appointment? A. I do not think there is any correspondence.

Q. Where did he come from? A. He came from the State of Washington.

Q. He applied by letter? A. No; he was a relative by marriage of Mr. Kyle, and he came to Winnipeg and Mr. Kyle gave him a subordinate employment. He took the place afterwards of another engineer in charge of a party and was later replaced by Mr. Callaghan.

Q. Did you get him on the C. P. R.? A. I took no action whatever in the matter at all.

Q. It is suggested that as soon as this matter became public you sought for a position for Mr. Heckman on the C. P. R.? A. I never recommended Mr. Heckman to the C. P. R., nor anyone connected with it.

Q. Did you know Mr. Goodman before he came? A. No.

Q. Where was he occupied before he came here? A. He was in the Winnipeg office with Mr. Kyle.

Q. How long was he there? A. I cannot say definitely, probably three or four months.

Q. And why did you bring him from Winnipeg to Montreal? A. Because I discovered he was a very good man and I thought would suit my business purposes.

Q. Through whom did you discover this? A. By going to Winnipeg and seeing the nature of Goodman's work.

Q. Did you do that personally? A. Yes.

Q. Not on Mr. Kyle's recommendation? A. On my own suggestion.

Q. Who employed you, Mr. Stephens? I mean what company first employed you? A. Here?

Q. Yes. A. The Grand Trunk Pacific.

Q. Not the Grand Trunk? A. No, the Grand Trunk Pacific. I am assistant chief engineer of the Grand Trunk Pacific Railway.

Q. What position have you with reference to the Grand Trunk Pacific? A. I have charge of these surveys that Mr. Walker was speaking about.

Q. When were you first placed in charge? A. In February, 1903.

Q. Is your salary paid by the Grand Trunk Pacific? A. No; by the Grand Trunk.

Q. Your name will not appear on the pay rolls of the Grand Trunk Pacific? A. I think you will find when you get these returns, my name connected with others.

Q. Still, if it is included, to what extent would it be included? A. The whole thing would be included; my duties are simply to look after these surveys.

Q. That is all? A. That is all, and everything would be included therein.

Q. While employed by the Grand Trunk you are paid by the Grand Trunk Pacific? A. Yes, practically.

Q. Well, then, did Mr. Hays, as manager of the Grand Trunk Pacific, employ you? A. Yes.

Q. And also as general manager of the Grand Trunk? A. Yes.

Q. Have you any correspondence with him with reference to your employment? A. I do not think I have.

Q. You did not receive letters from him? A. I received one or two notes, but I do not think they were kept.

Q. Would they not be in the files? A. He might have copies himself.

Q. Can you give me the nature of the correspondence? A. No, I cannot. My relations with Mr. Hays as far as conversation was concerned—.

Q. He wrote you to come and meet him? A. Yes, he asked me to meet him.

Q. Did he say for what purpose? A. No, he had this service in mind, but the letter was not, as I remember it, very explicit.

Q. Still for the purpose of employing you in connection with the railway? A. He did that after meeting me.

Q. Did he express it? A. No.

Q. What, then, brought you to Montreal? A. That letter he wrote.

Q. But he has not assigned grounds for bringing you here? A. No.

Q. You were on the Santa Fe at the time? A. Absolutely, I did not know what Mr. Hays wanted until I saw him.

Q. Mr. Mellen is your chief clerk? A. Yes.

Q. Where was he before you employed him here? A. He was with me on the Santa Fe.

Q. And you employed him when you came here? A. He came up at the same time, or a few days later than I did.

Q. Had you any note from him or any agreement with him before he came? A. No.

Q. What was the result? A. I told him to go to work and I would put him on the pay roll, that is all there was to it.

Q. That was after you were employed? A. Yes.

Q. And that was after you came here? A. Yes, he came subsequently.

Q. You do not know how soon? A. Within two weeks.

Q. What salary does he get? A. $125.

Q. The same as Mr. Goodman? A. Yes.

Q. What other clerks have you with you? A. None. We have a stenographer and an office boy.

Q. They belong to Montreal? A. Yes.

Q. Have you any other men on the survey parties from the Santa Fe Railway? A. None others than I have mentioned. There are myself, Mr. A. G. Allan, Mr. Hancock (who has gone), Mr. Mellen.

Q. And that was all? A. Yes.

Q. These came from the Santa Fe? A. Yes, they worked on the Santa Fe Railway.

Q. Do you know what Mr. Hancock received? A. He was a transitman, and got $100 a month

Q. That is the usual salary? A. Yes, the statutory wages.

Q. Now, I would like to ask you if you could assist me in reference to the other divisions. I want to go to North Bay, Winnipeg and Edmonton. Could you ask the division engineers to get their head men to meet me at these points? A. No.

Q. You could not do that? A. Because I could not get them to meet me there. They are very often back in the woods, in the wilderness.

Q. So that it would be useless to appoint a particular day to meet these men? A. I will be glad to arrange for you to meet Mr. Knowlton, Mr. Kyle and Mr. Van Arsdoll. With regard to the others it is a matter of chance. They are pretty hard to find now.

Q. Has not Mr. Knowlton any correspondence with reference to these parties? I met a friend of mine, Mr. Dickson, and he informed me that Mr. Knowlton has some correspondence containing information with reference to them? A. No, only a reference to one or two parties.

THE COMMISSIONER: I would be much obliged if you would see that these three gentlemen facilitate me in my present enquiry. A. I will be glad to do that to-day.

Q. You think that these men can be found at any time? A. The division engineers? The same as you found me here.

Q. Now, I was going to ask you something about the correspondence, but have not gone through the whole of it and there is no necessity in taking up any more of your time until I get all the correspondence, and as soon as I get all of it I will continue with you. I think we will have it all to-day. One thing about which you are very emphatic; that is that you have not in any way invited American engineers? A. On the contrary, I want to be emphatic on that point. I have absolutely as far as possible declined all the suggestions and offers we have had, and when you look through the correspondence you will see that that has been done, and I never contemplated such an idea and never thought of it.

Q. Have you ever visited the States with a view of getting any of these engineers? A. Absolutely no.

Q. While in Chicago on your visit there have you asked to be put in communication with any engineers? A. No, it was accidental, simply passing through Chicago and got into conversation with engineers just the same as I would talk to Canadian engineers if I met them.

Q. But you never suggested their making application? A. Never asked them.

Q. I understand you to be very emphatic about that? A. I talked about the work in general conversation, but I never went there for the purpose of employing any American engineers.

Q. Now, taking the division engineers, the assistant engineers, the transitmen and topographers, to what extent are they Americans on this survey? A. I cannot tell you. You mean the appointment of the officers and the rank and file?

Q. Yes. A. I cannot tell you off-hand, but will tell you the names.

Q. I would like to get through to-morrow night if you get that for me and meet me at two o'clock.

Meeting at 2 p.m., 31st May, 1904,
General Offices G. T. R., Montreal.

Mr. WALKER recalled:

Q. You have prepared the statement I have asked for? A. Yes.

Q. This statement that you put in is a correct statement of all the Grand Trunk Pacific officers that are paid by cheque? A. By cheque, yes.

Q. Are there any other officers than these paid by cheque, such as directors, or of that nature? A. No others.

Q. The dates of commencement of service is entered as well? A. Yes.

THE COMMISSIONER: That is all I require from you, Mr. Walker.

Exhibit No. 1 filed and is as follows:—

SESSIONAL PAPER No. 36a.

NAMES OF SENIOR ENGINEERS ON GRAND TRUNK PACIFIC SURVEYS, MARCH AND APRIL, 1904.

Name.	Salary March.	Salary April.	Entered Service.
Stephens, J. R., Asst. Chief Engin'r...	$625.00	$625.00	Feb. 20th, 1903.
Kyle, G. A., Div. Engineer	333.33	333.33	April. 3rd. 1903.
Knowlton, G. A., Div. Engineer	333.33	333.33	April 22nd,1903.
Van Arsdoll, C. C., Div. Engineer	333.33	333.33	Aug. 8th, 1903.
Bacon, J. H., Harbor Engineer	300.00	300.00	Aug. 22nd, 1903.
McNeill, E. R., District Engineer	250.00	250.00	Sept. 4th, 1903.
Jones, R. W., District Engineer	250.00	250.00	Sept. 1st, 1903.
Hannington, C. F., District Engineer.	250.00	250.00	Mch. 10th, 1903, appointed Locating Eng'r at $175 per month. Promoted to Dist. Eng'r Mch. 1st, 1904.

Montreal, 31st May, 1904.

Mr. GOODMAN recalled:—

Q. Have you got the correspondence which took place between you and Mr. Kyle, as asked for? A. No, sir; there was very little correspondence.

Q. It was a letter you received from him which you answered, that was the correspondence? A. Well, there was a conversation between us before Mr. Kyle came. I met him over there. I spoke to him of a railway proposition, from one man to another.

Q. He wrote you after he went there? A. I do not remember about that.

Q. Somebody must have? A. I had a communication from Mr. Kyle by telegram.

Q. Do you remember what that telegram said? A. I certainly do not remember the wording of it.

Q. Did you act on that telegram? A. No, I did not accept.

Q. There was a position open for you? A. Yes.

Q. Do you remember the date of the telegram? A. No, I can say approximately, about the 15th July, 1903.

Q. Shortly before you came over? A. Yes.

Q. And you have no letters at all? A. None at all.

Q. You have searched for letters? A. I have. I am not clear in my mind whether Mr. Kyle may not have written me a friendly letter in which he mentioned about that.

Q. You have a recollection that he did so? A. I think it is likely he did so, but letters of that kind I generally destroy.

Q. He was here six months before you? A. Not so much as that, only——.

Q. He came in April and you did not come until July? A. Yes.

Q. You think there was a letter from him in the interim? A. I wrote Mr. Kyle and I think he answered me—a social letter.

Q. Business was incidentally referred to? A. No, I do not remember; at any rate there was nothing definite.

Q. The only thing definite that you recollect is what you have told me? A. Yes.

Montreal, 1st June, 1904.

Mr. GOODMAN recalled:—

Q. Mr. Goodman, what was your salary before you came to Canada? A. It varied at different times.

Q. What were you getting in your other employment before coming to Mr. Kyle? A. $90 per month.

Q. At Tacoma, you were engaged by the month at Tacoma? A. Yes.

Q. Had your time expired there? A. No.

Q. How much had expired? A. I resigned the position after due notice.

Mr. STEPHENS: Mr. Goodman received after coming here $100, and worked for Mr. Kyle.

WILLIAM E. MELLEN sworn:—

Q. What is your name? A. William E. Mellen.

Q. What position do you occupy in the Grand Trunk Pacific? A. I am Mr. Stephens' office assistant, in charge of his office.

Q. Are you chief clerk? A. Yes, I think so, we call it office assistant.

Q. When did you enter upon your duties? A. About the 1st March, 1903.

Q. How was it that you came here? A. I was on the Santa Fe with Mr. Stephens and came over shortly after he came.

Q. At whose request did you come? A. At Mr. Stephens'.

Q. Your salary does not appear on the statement of Mr. Walker's; it is not in the $200 class? A. No.

Q. Yours is $125 per month, it was so stated at any rate. Is that correct? A. It is greater.

Q. How much more? A. I prefer not to say.

Q. Mr. Walker can give me the information in regard to your salary. Do you prefer that I should ask him? A. I prefer he should inform you.

Q. Well, I will ask Mr. Walker in case you have any personal feelings in the matter. I have asked you to search for all the correspondence you have with reference to the engineers and others employed; have you done so? A. I have.

Q. And do you produce it all? A. Yes, all we have.

Q. All that you have? A. Yes.

Q. There is Van Arsdoll, engineer; Mr. W. E. Colladay, locating engineer; Mr. A. G. Allan, office engineer, Winnipeg; Mr. G. A. Kyle, division engineer, Winnipeg; Mr. J. P. Pim, engineer in charge of party No. 7 (who, by the way, has been discharged). Have you got any reasons for his discharge? A. Simply because he was incompetent. Mr. Knowlton discharged him.

Q. I find letters from Mr. Knowlton in reference to others. One stating that he had appointed Mr. Gaylor, when was he appointed? A. He was appointed after he discharged Mr. Pim.

Q. Mr. W. H. Mitchell, locating engineer in charge of Thunder Bay party No. 2; Mr. C. E. Perry, locating engineer in charge of Thunder Bay party No. 1; Mr. L. R. Ord, locating engineer in charge of party No. 8. With reference to the other names I have given you, can you find any correspondence? A. Mr. D. M. Kyle, brother of Mr. G. A. Kyle, was engaged by Mr. G. A. Kyle——.

Q. And any correspondence would be in his office? A. Yes, Mr. J. A. Heaman was engaged by Kyle who telegraphed for him to Toronto and took him off the Grand Trunk.

Q. There is no correspondence in the head office here? A. No. Mr. Heckman was engaged by Mr. Kyle, no correspondence; Mr. W. Mayer, engaged by Mr. Kyle, no correspondence; M. E. Nutting, engaged by Mr. Kyle, through a telegram; Mr. Mason was engaged by Mr. Kyle.

Q. What Mr. Mason is this, there are two? A. I only know of one.

Q. There are two Masons, I had two names given me? A. I think that was a mistake.

Q. I do not see Mr. Mason's name as transitman. Mr. Stephens reported it to Mr. Hays? A. That is right, the initial is wrong.

Q. Then it is your impression that there is only one Mason and that his name is S. H. Mason, not W.? A. I do not remember any other. I have only got one name on my list and I think that the mistake is due to confusion in the initials. Mr. McNeill was engaged by Mr. Kyle in Winnipeg, correspondence would be in his office. Mr. R. W. Jones: that was a verbal arrangement between Mr. Stephens and Mr. Kyle, he was working on the C. P. R., near Port Arthur.

Q. Are there not other Jones'? A. None except some subordinate, a teamster; Mr. Hare, he was on Van Arsdoll's division, Mr. Van Arsdoll employed him.

Q. William Mann, senior and junior, where are they? A. So far as I can remember Mr. William Mann, junior, was engaged by Mr. Kyle, Winnipeg, and was afterwards discharged.

Q. Do you know why? A. No. Mr. William Mann, senior, left the service some months ago, in January.

Q. Mr. Stephens said he had gone to the States? A. He is a property-holder in Winnipeg; Jones is a property-holder in Edmonton. W. E. Mann is a Canadian; he has charge of party No. 16; engaged by Mr. Kyle, and Mr. Kyle has any correspondence with him. Mr. Hicks I think is in Mr. Kyle's division, No. 12; Mr. Anderson is also in that division. Mr. Burt I do not know; J. R. Stephens, we have no correspondence with him; B. B. Kelliher, no correspondence, he was engaged here and sent out, the salary did not start until he reached Winnipeg; he is in the Winnipeg division. Collier I do not know. Kyle, have no correspondence with Mr. Kyle about application. Taylor was engaged by Mr. Knowlton at North Bay. C. F. Hannington, Canadian, engaged by Mr. Stephens, who met him; he was the first man employed. J. E. and J. S. Tempest are both Canadians, engaged by Mr. Knowlton, correspondence would be in his office. Alex. McLellan was engaged by Mr. Stephens in his office here verbally. Boucher was engaged by Mr. Knowlton at North Bay, lives at North Bay. Balleck, engaged in this office by Mr. Knowlton, verbal arrangement. J. D. Nelson, engaged at Chapleau as transitman, afterwards promoted to engineer in charge of party No. 4. Mr. Pim, engaged by Mr. Kyle, Winnipeg ,we have his correspondence. Mr. Robertson is with Mr. Kyle at Winnipeg, and I think he came from the Hudson's Bay Company. Bull, I do not know, we have no correspondence. Mr. Eggo was also engaged at Winnipeg. Mr. Goddard was engaged at Winnipeg; Mr. O'Reilly was engaged at Winnipeg. Mr. Darey, engineer in charge of No. 11, was engaged at Winnipeg; I do not know whether there is any correspondence or not. Mr. Hancock was transitman on party No. 9; he is now in England and not in the service. Mr. Fairbairn I do not know him.

Q. You have no correspondence with him nor in his name? A. No, he may be a subordinate.

Q. Have you given me all the correspondence in connection with the employment of American citizens and Canadian citizens in this parcel? A. Yes, sir, all.

Q. There is no other than what you have mentioned? A. No other except those.

Q. Do you know the Tempests? A. No, but I understand they are both Canadians.

Q. Do you know how they came to be employed? A. No, Mr. Knowlton engaged them.

Q. I have a letter here from Mr. J. E. Tempest, dated Los Angeles, California, November, 1903——? A. He was there temporarily. He applied to us asking for a position.

Q. He refers to Mr. Pilsbury, engineer of the Pacific Railway, Los Angeles? A. He was working for him perhaps at that time.

Q. Do you think that Mr. Knowlton employed him? A. Yes, I know he did.

Q. Is that Mr. Knowlton's writing at the bottom? A. No, that is mine.

Q. When did you write that? A. About May 13, 1904.

Q. Did you receive this letter from him? A. This old one, October 28th, 1903? No. Mr. Knowlton engaged him. I went through the file and marked it up.

Q. This letter was his application for the position. Apparently it does not seem to have found Mr. Stephens? A. Apparently so, I do not remember.

Q. Do they not go invariably to him? A. Always, except to chief engineer of the Grand Trunk.

Q. Do you know what answer was given to that application. A. No, I think Mr. Hobson replied to these.

Q. Can you find out? A. Yes.

Q. There was nothing attached to this? A. No.

Q. This letter was placed among the Canadian letters because marked Canadian? A. Yes.

Q. Mr. Hobson, instead of signing three or four answers, had a form prepared that would cover the whole? A. Yes.

Mr. WALKER recalled:—

Q. Can you give me the amount given to Mr. Mellen over his salary of $125? A. I understood from Mr. Mellen that he was granted that amount, $125.

Q. That is all that is on the pay roll? A. Yes, that is all that is on the pay roll, but I will look further.

To Mr. MELLEN: Do you get any more than that from the Grand Trunk Railway? A. Not from the Grand Trunk Railway, but the Grand Trunk Pacific.

Q. Is it charged to the Grand Trunk Pacific? A. Yes.

Q. Is it annual or a honorarium? A. The latter, I believe.

THE COMMISSIONER: Then you may get this correspondence with Mr. Tempest (J. S.).

Mr. WALKER returns:

THE COMMISSIONER: Well, Mr. Walker, what did you find? A. There is a cheque dated 2nd April for $75.

Q. Do you know the reason for the payment of this amount to Mr. Mellen? A. It is a special payment for three months extra allowance. I presume he will get a cheque for $75 quarterly.

Q. What is the $75 charged against? A. Special services are not indicated on the warrant. I presume it is a way of increasing his salary.

Q. At whose request was that done? A. I do not know. I only saw the voucher.

Q. Who has charge of Mr. Mellen? A. Mr. Stephens.

Q. Then Mr. Stephens' certificate would be necessary? A. Yes.

Mr. MELLEN recalled:

Q. That is Mr. Tempest's letter of October 22, I think that is prior to the other data? A. This is of July 21, 1903.

THE COMMISSIONER reads: "If you have a vacancy, I would like to have charge of one of your survey parties. I am a well-known engineer," etc. Have you any other correspondence with him? A. No, sir, unless in those bunches. Possibly Mr. Stephens will know something about this, but I do not think he does.

Q. Mr. Pim was an old man, I understand? A. I understand he was.

Q. You do not know him? A. No.

Q. Do you know anything about Mr. Going? A. Yes, I met him here.

Q. Where does he come from? A. Victoria, B. C., is a British subject.

Q. Took the place of Mr. Mann? A. Yes.

Q. What officers can I find at North Bay, Mr. Mellen? A. You will find Mr. Knowlton.

Q. Any others? A. No.

Q. Transitmen? A. Yes. You will find the chief draughtsman, Mr. Stadley, and the assistant.

Q. Mr. Knowlton's office is there? A Yes, Mr. Knowlton's office is there and you will find his office men. We have offices in Winnipeg and one in Edmonton.

Q. You cannot give me any information with reference to the location of the different parties? A. No, without giving you a map of the country.

Q. Have you got such a map? A. No.

Q. You do not know how far apart they are? A. They are about 100 miles apart.

Q. That is the different parties? A. Yes.

Q. Each party? A Sometimes they are further apart than that and sometimes closer. Sometimes we do not hear from them for two or three months.

Montreal, 1st June, 1904, 10 a.m., at Court House.

ALBERT L. GHYSENS sworn:

THE COMMISSIONER: Q. What is your name? A. Albert L. Ghysens.

Q. Where do you live? A. In Montreal.

Q. How long have you lived here? A. About nine years.

Q. What is your occupation? Land surveyor's assistant.

Q. Where were you educated? A. In Brussels, Belgium.

Q. You have a diploma from that country? A. Yes. (Produces diploma.)

Q. Did you apply for employment under the Grand Trunk Pacific? A. Yes.

Q. When? A. About six or seven weeks ago.

Q. By letter? A. By letter, yes.

Q. Have you received any answer? A. I have received an answer.

Q. What was the answer? A. There was no employment just now, but the application would be filed.

Q. What are you doing now? A. Working as land surveyor's assistant.

Q. Where? A. In Montreal.

Q. With whom? A. Mr. Charbonneau. (Produces testimonials.)

Q. What position did you apply for? A. I did not specify.

Q What are you capable of doing? What position are you capable of filling? A. All the land surveying business. Draughtsman, etc., can do all the jobs. I am a land surveyor.

Q. Have you had any experience in this country? A. Have an experience of one and a half years for Mr. Charbonneau and Mr. Beaudry.

Q. Where? A. In the Montreal district.

Q. Just in the Montreal district? A. Yes.

Q. Have you any experience in other districts? A. Yes, in Belgium.

Q. In mountainous districts? A. Yes, made a section of about four or five miles with about fifteen bridges.

Q. What wages were you asking? A. I did not specify.

Q. What are you making? A. I am making about $75 per month.

Q. Have you had charge of any men? A. Yes.

Q. How many? A. Four or five.

Q. That is in locating? A. Yes.

Q. Where have you had charge of men? A. In the bush in Canada. In Belgium I have had charge of 400 or 500 men.

Q. And what experience had you in Belgium? A. On railroads, bridges and wharves.

Q. How old are you now, Mr. Ghysens? A. Fifty-one.

Q. You look very young for that age? A. Yes.

Q. And you produce your certificates of qualification? A. Yes.

THE COMMISSIONER: I do not care for anything further, Mr. Ghysens, that is all.

Mr. WATERSON, assistant to Mr. Biggar, questions: ...

Q. Do you know why you were refused employment? A. I do not.

Q. You merely think they had nothing to do for you at present? A. Yes, from their reply that my application would be filed and they would reply as soon as there was something open.

Q. Are you sure you wrote an application to Mr. Stephens, Mr. Ghysens? A. I do not know whether I wrote to the proper person. I wrote to Mr. Prefontaine, the Minister. I did not know to whom to apply, and I wrote to Mr. Prefontaine.

Q. You did not write to the Grand Trunk Pacific at all? A. To the Minister.

Q. Not to the Grand Trunk? A. I did not write to the Grand Trunk because I did not know where to write.

Montreal, 1st June, 1904, 10.30 a.m., at
General Offices, G. T. R.

Mr. CHARLES M. HAYS, sworn:

THE COMMISSIONER: We will make this as short as possible, Mr. Hays, as I don't wish to take up too much of your time, I know you are a busy man.

Q. You are manager of the Grand Trunk Railway system? A. Second vice-president and general manager.

Q. What position do you occupy towards the Grand Trunk Pacific? A. I am one of the incorporators.

Q. And manager? A. One of the provisional directors.

Q. That is entirely under your control? A. Yes, sir.

Q. The surveying department is also under your control? A. Yes, Mr. Stephens reports to me and is directly responsible to me.

Q. When were you appointed to that position? A. The Grand Trunk Pacific is not as yet organized and the Grand Trunk Railway has been carrying on these surveys and advancing the expenditure necessary for them on behalf of the Grand Trunk Pacific.

Q. And when was that commenced? A. Sometime in the spring of 1903, early spring.

Q. Now in order to carry that out who was the first man appointed to take charge? A. The assistant chief engineer.

Q. Mr. J. R. Stephens? A. Yes.

Q. He was at that time in the employ of some American road? A. Yes, the Atchison, Topeka and Santa Fe Railway.

Q. Do you remember when he was employed by you? A. I think either the latter part of January or the beginning of February, 1903.

Q. How did you come to employ him? A. He was recommended as an engineer of experience and familiar with the work we had taken in hand.

Q. By whom? A. By railroad presidents, engineers and others familiar with such work.

Q. All Americans, I suppose? A. Not all.

Q. Are there any Canadians or British subjects that you consulted? A. Mr. E. H. McHenry, chief engineer of the C P. R., was one of the gentlemen, and I received recommendations from others.

Q. Did you consult with Mr. Schreiber, Deputy Minister of Railways? A. No.

Q. Did you get any letters from him recommending the appointment of any engineer? A. None.

Q. Not directly? A. Not that I recall.

Q. Then you employed him by correspondence? I refer to Mr. Stephens? A. No, sir.

Q. How did you emply him? A. I asked Mr. Stephens to come and see me, and, after a conversation, engaged him.

Q. What duties does he perform? A. He has the general direction and control of the entire work of surveying, appoints the assistants. They report to him and are governed by his instructions as to the character of the line desired to be built.

Q. Does he consult you with reference to the men he employs? A Only in a few instances, in some cases he——.

Q. You fix the remuneration for these engineers, Mr. Hays? A. That is fixed on my approval.

Q. Who brings the report to you for their remuneration? A. Mr. Stephens.

Q. Mr. Stephens reports to you? A. Yes.

Q. And the amounts are fixed upon your approval? A. Yes.

Q. Now, do you know from memory the different salaries that are being paid to these officials? A. No, sir, I would be subject to correction.

Q. Mr. Stephens' salary is how much? A. $6,000 a year.

Q. The auditor has given a statement showing that he gets $7,500, would that be correct? A. The auditor's statement would be correct.

Q. Where was the record kept fixing his salary? A. In the auditor's office.

Q. So you have no minutes in your books at all? A. We have no organization, so cannot have any minutes.

Q. I would imagine you would have some memorandum of your directors' meetings? A. There are no directors' meetings.

THE COMMISSIONER: I understand.

Mr. HAYS: These surveys are all preliminary ones carried on by the Grand Trunk Railway on behalf of the Grand Trunk Pacific awaiting the Grand Trunk Pacific legislation; that is to save time and rush the work as soon as we get the legislation.

Q. So you would have no minutes. I understand. As to the employment of division engineers, what was the procedure? A. They were reported to me for approval.

Q. Do you remember Mr. George A. Kyle? A. I remember him, but I do not know him.

Q. You did not appoint him personally? A. I approved of Mr. Stephens' recommendation.

Q. The same thing with Mr. Knowlton at North Bay? A. The same thing.

Q. Were there any that you suggested being appointed before they were appointed? A. Not one.

Q. Now, with reference to Canadian applicants, have you had any applications from Canadian engineers that you have considered? A. Personally?

Q. Personally. A. I have had a good many applications from all over the country, both Canada and the United States.

Q. What was the method of proceeding on receipt of the applications? A. They were referred to Mr. Stephens.

Q. With any directions or suggestions from you? A. With the suggestion to enquire into them and to give Canadians the preference, all things being equal.

Q. Has that been followed to your knowledge? A. That is my understanding.

Q. It is simply your understanding? A. My understanding.

Q. You do not know. Are there a great many Canadians on the work? A. Yes, a great many.

Q. Americans? A. Probably a few.

Q. Let us look at the list. Stephens is an American, the division engineer at Winnipeg is an American? A. I think so, I am not sure.

Q. And the division engineer at Edmonton, Van Arsdoll, is an American? A. Yes.

Q. The division engineer at North Bay, is he an American? A. I understand not.

Q. That is your knowledge? A. I understand he is not. He was born, I believe, in Quebec.

Q. Do you know he is not? He was born an American, though living in Quebec? A. I do not know.

Q. Do you know whether he was employed by Mr. Stephens? A. No.

Q. Do you know any of the assistant engineers who have charge of parties? We will take the first party, Mr. T. C. Taylor. Do you know whether he is an American or not? A. I do not know.

Q. Would this refer to all assistant engineers? A. It would.

Q. You do not know the men personally? A. No.

Q. These were left entirely in the hands of Mr. Stephens? A. Yes.

Q. The salaries being approved of by you? A. Yes.

Q. I have a statement of salaries, prepared by the auditor, so that what he says is quite correct? A. Just so.

Q. And would you altogether give way to his records? A. Yes, his records would be correct. I do not carry all these things in my head.

Q. W. H. Mitchell, engineer, Kingston, do you know him? A. I do not know him at all.

Q. His communication was to Mr. Hobson, the chief engineer of the Grand Trunk system, although he has written to you. Would you remember the writing, it is dated 29th October, 1903? A. I do not remember, there are so many of these letters.

"Palace Hotel, Smith's Falls, Ont., Oct. 29th, '03.

"Chas. M. Hays, Esq., Gen'l Mgr. G. T. R., Montreal, Que.

"Dear Sir,—I respectfully make application for an appointment on the engineering staff of the G. T. P. Ry. My experience is of twenty years' standing, chiefly in charge of location projects in rough and difficult country. Will refer you to Mr. H. F. Donkin, chief engineer Cape Breton Ry., Antigonish, N. S.; Collingwood Schreiber, Dept. Minister, Ottawa, and Mr. T.W. Nash, chief engineer K. & P. Ry., Kingston, Ont. At present I am finishing masonry and concrete contracts with the C. P. R., and expect to be through with them Nov. 15th, by which time, should this application meet with your favor, I could have a location party organized of experienced men who have been associated with me on other and similar work.

"Trusting a favorable reply, I have the honor to be,

"Respectfully yours.

"W. H. MITCHELL."

A. Yes, this letter probably came in due course of mail and may have come before me, possibly not.

Q. Now, there were the Moberleys, do you know them? A. Yes, I met one of them.

Q. There was Walter and Frank Moberley? A. I knew one of them.

Q. Frank Moberley was a very well qualified engineer. There was correspondence with him. There is a letter from you to Mr. F. W. Morse, third vice-president of the Grand Trunk system, I believe? A. Yes.

Q. This is the letter in question:—

"New York, February 10th, 1903.

"Mr. F. W. Morse, Third Vice-president,

"Dear Sir,—Referring to the attached from Mr. Moberly, whom I believe you met while on the Pacific coast. Am I not right in my understanding that you consider him too far advanced in years to be of any value to us in active survey work? It may be, however, that his knowledge of the country could be availed of by utilizing him in some such capacity as he suggests.

"Yours truly,

"CHAS. M. HAYS,

"2nd Vice-Pres. & Genl. Mngr."

They applied from British Columbia for appointment. Do you remember this letter to Mr. Morse? A. Now, I recall it. I recognize my signature; it was in February.

Q. Do you remember seeing a letter from Mr. Schreiber addressed to Mr. Hobson in that file? A. I do.

Q. You remember seeing it? A. Yes.

Q. In that he mentions the names of some engineers and says:—"The following engineers, whose names I give, would, I think, be acceptable to you for the positions I have placed opposite their names:

"Hugh Lumsden, Toronto.—Engineer in charge of survey.

"Henry A. F. McLeod, Ottawa.—Engineer in charge of survey.

"Peter S. Archibald, Moncton.—Engineer in charge of survey.
"J. S. O'Dwyer, Moncton.—Engineer in charge of a party.
"J. S. V. Caddy, Ottawa.—Engineer in charge of a party.
"Ambrose Duffy, Ottawa.—Engineer in charge of a party.
"C. E. McNaughton, Coteou du Lac, Que.—Transitman.
"John Brophy, Ottawa.—Transitman.
"James A. Dickey, Amherst, N. S.—Transitman.
"William McCarthy, St. Peters, C. B.—Transitman.
"T. Ruel, Charlottetown, P. E. I.—Transitman.
"A. Wise, Coteau Landing.—Leveller.
"F. R. Wilford, Cardinal, Que.—Leveller."

Do you remember whether any positions were offered to any of these men? A. Yes. Of the gentlemen that Mr. Schreiber recommends there was one sent for and offered the position that Mr. Stephens occupies.

Q. Which gentleman was that? A. Mr. Lumsden.

Q. He was your selection for that position? A. Yes.

Q. What was the result? A. He declined.

Q. Why? A. He was connected with another company.

Q. Was the question of salary discussed? A. Yes.

Q. This Mr. McLeod, of Ottawa. A. I am not sure about him. This letter of Mr. Schreiber was to Mr. Joseph Hobson, our chief engineer, and the matter was handled by Mr. Hobson.

Q. So that what you say about Mr. Lumsden would be——? A. Mr. Lumsden had Mr. Hobson's very strong endorsement and as he was a very good man he was ready to try and arrange for him.

Q. Now, were there any others in Canada that were consulted by you in any way? A. No, I do not know directly that any of the applications were discussed by me.

Q. They have all been referred to Mr. Stephens? A. Yes.

Q. After he was here? A. Yes.

Q. And before he was here? A. To Mr. Hobson.

Q. So that Mr. Hobson would be the proper official to say what was done up to the time of Mr. Stephens' coming? A. Yes.

Q. How many railways are there in Canada that have been built since the Grand Trunk? A. I do not know that I can answer that.

Q. About how many? A. I think there are about 15,000 miles of railway.

Q. Under how many heads, how many different corporations? A. I think they would not exceed ten or twelve. There are a great many small companies that we have nothing to do with.

Q. Could you have list prepared of the engineers who had charge of these different lines? Who had charge of construction or location of these various roads? A. Well, I suppose the records of these companies would be available.

Q. Have you had applications from the heads of our engineering institutes for employment? A. Not that I recall.

Q. McGill University, the Royal Military College at Kingston, in the shape of an official request? A. As I understand you to mean, I think I have had applications from students of these places, which were invariably referred to Mr. Stephens.

Q. And they were all referred in that way? A. Yes.

Q. Have you had any applications from any of the engineering institutes. Through institutes or amalgamated societies of engineers, there are two or three of them in Canada, you know better than I do whether there

are such? A. I think there are two of such societies, one, considered the standard, the Canadian Society of Engineers; the other, I think, the Amalgamated Society, which embraces engineers of every class, mechanical engineers, stationary engineers.

Q. All classes of engineers? A. Yes.

Q. Not civil? A. Inclusive of civil.

Q. Have you had any applications from these societies for the employment of any of their members? A. I do not recollect.

Q. Your recollection is that there were individual applications only? A. Yes, individual applications in which the applicant may have stated that he was a membr of such a society or not.

Q. There was another application I find in your handwriting referred to Mr. Stephens, Mr. McDougall of Ottawa, the son of the Auditor-General there? A. That, Judge, I might say has been my standard; wherever I received an application an answer was sent to the party, and as I could not bear all these matters in mind everything concerning such applications was placed on file.

Q. That was the course? A. That is the standard.

Q. Do you know Mr. McCarthy, of Ottawa? A. No, sir.

Q. Nor his application? A. No, sir.

Q. There was a Mr. Orde, do you know anything about him? A. No.

Q. Nor Mr. Perry, who was recommended by Mr. Whyte of the C. P. R. at Winnipeg as division engineer? I think he is on your staff as assistant engineer? A. Yes.

Q. Mr. Whyte recommended him as division engineer, you personally know nothing about that? A. No.

Q. Nor about his qualifications? A. I think I met him, he brought a letter to me.

Q. Now you have told me all; this is the extent of your knowledge? A. I do not think I am here to say anything further, save to briefly state that when Mr Stephens was engaged he was told that this being a Canadian work, and other things being equal, Canadian engineers should have the preference; that we desired first the question of capability, merit and experience to govern in selecting the men, but that, being equal, the Canadians must have the preference. That I may say, Judge, is our policy and has been my policy in connection with the operation of the road since I have been here.

THE COMMISSIONER: I think we all agree to that policy.

Mr. HAYS: I think that any railway manager will bear me out in stating that within the last few years, especially when the work has been very abundant both in the United States and Canada, it has been exceedingly difficult to get experienced men. A man may have technical knowledge, but he may have no experience, and if you are building a line in a mountainous district you may want a man who has had not only a knowledge of laying out a line in a mountainous district but has had actual experience, and the more experience he has had the better man he is. This is not in disparagement to men who have the knowledge. There are engineers who have a reputation and are known as experts in locating a line, which is an independent profession, as there are men who have a reputation for conducting a case before a jury, but not specially qualified to take a case before the Privy Council in England——.

THE COMMISSIONER: We do not allow Americans to come here and do that.

Mr. HAYS: Canada has been somewhat unfortunate in respect of having a very small territory to draw from in any work of great importance

where we want to get the latest ideas, and I think it is in the interest of Canadians and of Canadian work that in everything we do we should get the best and latest experience and information to carry it out. Where you are building a house, a hotel, a manufactory or a railway it is the interest of everyone that the latest expert knowledge and experience should be brought to bear in conducting the work. That is our position, and has led us to send outside of the country to get that information which could not be had here.

THE COMMISSIONER: I do not think anyone will disagree with you on that, Mr. Hays, but have we no men in Canada quite as well qualified to do this work? A. There are, naturally, men of that character, but they are all very busy and disinclined to give up their present occupations.

Q. I have gone over a list of 100 applications from Canadians in your office? A. Yes.

Q. Of course you would go into the qualifications of each individually when they applied? A. The head of the department, Mr. Stephens, would do that.

Q. Now, if your policy has not been carried out, your instructions have been disobeyed? A. That is a natural conclusion.

Q. And the carrying out of the policy has been left in Mr. Stephens' hands? A. Just so.

Q. I suppose the fact of his being an American would have an influence with him as to the appointment of persons whom he would employ? A. That is a matter for you to judge of yourself.

Q. I do not wish to be offensive in any way, but you are yourself an American, Mr. Hays? A. I am, but I do not consider that an offensive matter at all.

THE COMMISSIONER: If you did you would not be an American very long but would soon change your status.

Mr. Hays left the room, but returned and stated:

I had in mind when I came in to state, but it slipped my memory,—after the other questions that were asked me—that if there is any feeling on the part of any one here in Canada that we have any desire to be other than fair in dealing with this question or to treat applications other than on their merits, I am quite willing to make it a pre-requisite of the consideration by Mr. Stephens or by any officer having charge of any Grand Trunk Pacific surveys that the applicant for a position on these surveys must come with the personal endorsement of the Executive Committee of the Canadian Society of Civil Engineers, recognizing that, as I do, as the standard society of Canada. I would be very glad to have it understood that we require the highest excellence and we want the best services we can get. We wish to have it thoroughly understood that an applicant must possess these qualifications. If he does and has the endorsement of the Canadian Society of Civil Engineers I would say that applications having that endorsation would receive the first preference in our giving of positions, but, of course, we cannot delegate to any other than the officers of this company the right to determine for themselves the merits of the applicants, but we are quite willing to make that endorsation a requisite for the consideration of any application. I do not know that this point has ever been raised in the past; I do not know whether this suggestion has ever been made, but I am very glad to make it now.

THE COMMISSIONER: And I am very glad to receive it.

Montreal, 1st June, 1904.

Mr. J. R. STEPHENS recalled:

THE COMMISSIONER: You told me the other day as to your salary being $6,000 a year, Mr. Walker brings it in as $7,500, is that correct? A. The remark I made I would like to quote, I was offered $6,000 a year.

Q. You wished me to understand that your salary was $6,000? A. No, I misunderstood you only.

Q. Now, what is your actual salary? A. $7,500.

Q. Then you also told me that Mr. Mellen's salary was $125 a month? A. It is.

Q. Mr. Walker brings in the statement that it is $150 per month? A. Mr. Mellen gets an occasional voucher for three months.

Q. The pay list shows $125, you did not wish me to understand that he was getting only $125? A. I don't know whether he is going to get any more, he only got one voucher.

Q. $125 is his salary? A. It is his salary, the voucher is for additional services rendered.

Q. Would that make it $150 per month? A. Yes.

Q. And it is your intention to give him that sum? A. If I could, I would like to get it on the pay roll.

Q. You have recommended that payment to be made? A. No, we have not paid it to him right along, only for the last three months.

Q. You intend to pay it to him when you get organized? A. Yes, when we get organized.

Q. Now, with reference to the employment of the different engineers. You stated that Mr. Kyle was an American. He was employed in the States by you? A. Yes

Q. You urged his appointment? A. Yes, I asked him subsequent to my interview with Mr. Smith.

Q. Who is Mr. Smith? A. Chief engineer of the power plant at Niagara Falls, Ont.

Q. What has he to do with the appointment of engineers on this Grand Trunk Pacific? A. Nothing whatever, except that he was offered the position before Mr. Kyle came, he refused.

Q. Who offered him the position? A. I did.

Q. Have you any letters showing that you offered it to him? A. No, it happened in Mr. McGuigan's office; Mr. McGuigan introduced him to me, we had a talk and he declined the offer.

Q. When was that, do you remember? A. It must have been in March, 1903.

Q. Do you know what time in March? A. I cannot tell definitely what time in March.

Q. I find among the correspondence a telegram from you to Mr. Kyle dated 11th March, 1903; he was at that time in the Northern Pacific office, Tacoma, Washington, offering him four thousand dollars a year for two years' work. You remember sending that? A. Yes.

Q. This was after you offered the position to Mr. Smith? A. Yes.

Q. Mr. Kyle sends the following telegram: "Will accept position offered if can get western division and salary is commensurate with position. Letter to you Monday." Was there a telegram prior to that offering him the position? A. No; I wrote him a letter about that time

Q. Then you received that telegram from him? A. Yes.

Q. You answered it by offering him the $4,000 and asking when he can report here? A. Yes.

Q. Then on the 11th March, '03, he answers by telegram as follows: "Will report as soon as can arrange to have my position filled. Will let you know when soon as can"? A. Yes.

Q. You replied on the 12th March, the next day: "All right, can you get Van Arsdoll as assistant at one seventy-five and expenses?" A. Yes, Van Arsdoll declined that offer.

Q. You wanted to get Van Arsdoll here too? A. Yes.

Q. As Mr. Kyle's assistant? A. Yes.

Q. That same Van Arsdoll is now division engineer at Edmonton? A. The same man.

Q. Then Mr. Kyle telegraphed you on the 13th March: "Darling says cannot relieve me until 25th inst., will that answer? If not will endeavour to hurry matters"? A. Yes, I remember having received that.

Q. You replied on the 14th March: "All right, twenty-fifth will answer. What transporation will you require, and where shall I send?" That is your answer to Mr. Kyle? A. Yes.

Q. Then you wrote and arranged about transportation for himself and family? A. Yes.

Q. And Mr. Kyle has been division engineer ever since with headquarters at Winnipeg, getting here about the 2nd April, 1903? A. Yes.

Q. Then, Mr. Knowlton was employed about the 22nd April, 1903, by you as division engineer? A. I think so, it was about that time.

Q. Where was he when he was employed by you? A. He was with the New York Central.

Q. Did you ask him to come into the service of the Grand Trunk Pacific? A. I do not remember that, Your Honour, I asked his brother. His brother decided to accept a position in the New York Central as assistant chief engineer. Then the other brother came up and I had a talk with him and engaged him here.

Q. He was, however, in the employ of the New York Central when you employed him here? A. Yes.

Q. Do you know that he is an American citizen? A. I do not know.

Q. Have you heard that he was? A. I do not know that he is an American citizen, I understand he is a Canadian. If he is an American I don't know, you will have to ask him.

Q. Then as to Mr. Van Arsdoll? A. You have Mr. Van Arsdoll's record, I think he is an American. I know that.

Q. The first writing that I find from you to Mr. Van Arsdoll is a telegram dated June 30th, 1903. He was at that time at Hoquiam, Washington. It is as follows: "It may be can offer you position similar to Kyle's. If you are in position to accept, how soon could you come?" You remember sending that telegram? A. Yes.

Q. Now, on the 3rd July he replied from Leviston, Idaho, by wire as follows: "Will accept offer if desired, can leave on ten or fifteen days' notice." Then on the 14th July you wired him at Tacoma as follows: "All right will offer same terms as Kyle, provided you can arrange amicably with Darling. Please wire when you can leave." You sent that telegram? A. Yes.

Q. On the 13th July he wired you from Hoquiam: "I have wired Darling and will advise you how soon I can leave." Who is this Mr. Darling referred to in these different telegrams? A. He is chief engineer on the Rock Island system. He was at the time chief engineer of the Northern Pacific.

Q. On the 20th July Mr. Van Arsdoll telegraphed you: "Have arranged satisfactorily to leave here about August first. Please instruct"? A. Yes.

Q. In answer to that telegram you wired on the 22nd July: "All right, will wire where to report later." Then on the 25th July you wired Van Arsdoll: "Please report at Winnipeg as soon as possible and advise this office. I have arranged for chief clerk." That is all the correspondence? A. Yes.

Q. Then as to Mr. Allan, who is office engineer at Winnipeg, you say he is an Englishman? A. He is English.

Q. Where was he when you employed him? A. He was with the Santa Fe.

Q. You had known him there, you were on that road at same time? A. Yes, at same time.

Q. You also wrote asking him to come? A. Yes.

Q. In fact you went out of your way and wrote to his superior officers to relieve him so that he would come? A. I believe so.

Q. There is a telegram dated 11th April, 1903, from you to A. J. Hemstreet, Eastern Oklahoma Office, Guthrie, Oklahoma, U.S.A.: "Mr. Dun wires will consider my application for A. G. Allan. Kindly arrange if possible." Who is Mr. Hemstreet ? A. He is engineer in charge of construction on the Eastern Oklahoma Railway, which is a part of the Santa Fe system.

Q. And on the 22nd April Mr. Hemstreet replied to your message: "Will release Allan on May fifteenth"? A. Yes.

Q. Then on the 17th April you received a telegram from Allan: "My resignation sent Hemstreet yesterday, have written you" ? A. Yes.

Q. Then you received a letter from Mr. Allan dated the 16th April, in which he explains that he interviewed Mr. Hemstreet and he was unwilling to relieve him, Mr. Allan says: "I agreed to stay till May 15th; so please rely on my being with you after that date." This letter covered a copy of a communication sent by Mr. Allan to Mr. Hemstreet dated Newkirk, O. T., April 17th, '03, which reads as follows:

"Dear Sir,—I have been working under Mr. Dun continuously for nearly six years, have been trusted with some large jobs, been promoted many times; so naturally do not feel very enthusiastic about leaving him.

"But Mr. Stephens is about to build a transcontinental railway with a lot of mountain work, in an English colony, and I feel will give me a good place at the front.

"If it will not inconvenience you I would like to go about May 15th, as I can arrange by that time to leave everything in first-class shape."

Then Mr. Allan had been there for several years? A. He has been in the States for a long time. I don't know how long.

Q. Do you know if he has become an American citizen? A I don't know, I don't think he has become an American citizen.

Q. Like Mr. Kyle? A. Yes.

Q. Then Mr. Dun, chief engineer, writes to Mr. Hemstreet:

"Dear Sir,—Mr. J. R. Stephens wires wanting to know whether we could spare Mr. A. G. Allan after he finishes Osage Nation work."

A. Osage Nation is an Indian reservation in the northwestern corner of Oklahoma Territory, and this railway passes through that reservation.

Q. And he adds:

"Will you kindly advise and find out whether Mr. Allan desires to go.

"I think we can give him a position fully as good as he now has after the Osage work in finished."

A. Yes.

Q. Then you enclosed him transportation Chicago to Montreal, and do you know what day he arrived here? A. I cannot say, I could consult the records.

Q. These will show when he arrived in Montreal? A. Yes.

Q. And so his time was extended from April 15th to May 15th as Mr. Dun requested him to remain until the work was completed? A. Yes.

Q. The correspondence shows that? A. Yes.

Q. Then with reference to Mr. McNeill, district engineer, you wrote to him, did you not, to come? A. I think he was employed by Mr. Kyle, if I remember the matter right.

Q. Do you know where he was when he was employed? A. He was with the Great Northern.

Q. At what point? A. Somewhere in Montana.

Q. Havre, I think, is the name? A. Yes.

Q. Here is a letter from Mr. McNeill date 8/9, 1903. Is that the 8th of September or the 9th of August? A. I don't know what it is. The only thing I can account for is that Mr. McNeill was engaged on the 4th September. I am quite sure it was written in August, because I remember asking Kyle about him.

Q. The letter here is dated Havre, Montana, 8/9, 1903, and is as follows:

"Mr. Jno. R. Stephens, Asst. Chief Eng.,
"Grand Trunk Ry., Montreal.

"Dear Sir,—Mr. Alex. Stuart, res. eng. Spokane, advises that he has mentioned my name to you in connection with positions you have to offer as division engrs. on the Winnipeg and Coast division. As I understand the situation you wish to secure men to take charge of 500 miles divisions and whose duties it will be to explore, locate and construct the line. I beg to say that I am severing my connection with this road, to take effect just as soon as a successor can be secured, and am open for propositions from other roads. Will state that I have been on railway work in the Rocky Mountains for the past fourteen years, and during the past two and a half years have occupied the position of res. eng. in the middle district, extending from Minot to Bonners' Ferry, also including the Montana Central Ry. for six months last past, a total mileage of 1,600 miles.

"For reference will refer you to the following gentlemen: Mr. Jno. F. Stevens, chief engr. Rock Island system, Chicago."

Any relation of yours? A. No.

Q. Because I think you have referred to him? A. I don't know him personally at all, except by reputation.

Q. And who is this Mr. Alexander Stewart? A. Mr. Alexander Stewart was offered a position here with a salary of $4,000, but when we made that offer they immediately raised him to $5,000, so he thought he would refuse us.

Q. He is still at Spokane? A. He is still with the Great Northern as assistant chief engineer.

Q. Mr. McNeill gives four names as references and then says:

"I will be pleased to have you communicate with all of the above as to my ability, etc., and in case both positions referred to by Mr. Stewart are still open would be pleased to consider an offer from you. Will say in conclusion that I would prefer to go to the coast division on account of having spent so many years in the mountainous districts.

"I remain yours truly,

"E. R. McNEILL."

Q. On receipt of that letter what did you do? A. I think Kyle took action. I was on the west coast and the letter came to the office here and Mr. Kyle took action.

Q. He is, you have already stated, an American citizen? A. Yes.

Q. Mr. Colladay wrote to you on the 13th of March, 1904, from Decatur, Ill., and said: "I was sorry that I did not get more of a visit with you while you were in Chicago, but of course circumstances were such that I could not"? A. Yes.

Q. Then you wrote him on the 15th March, as follows: "I am unable to say just when I shall be able to offer you a position, but will advise you later on," and then on the 2nd of April you wrote—it appears that in the meantime you had engaged him, because you say: "I have requested transportation for you from Chicago to Winnipeg, to be sent to you direct"? A. Yes, I met him in Chicago as I passed through that city the other day, had a talk with him and offered him a position. He replaced the relative of Mr. Kyle's, Mr. Heaman.

Q. You stated further in your letter to him: "I can give you a position as locating engineer at a salary of $175 per month and field expenses, salary to begin after you report for duty. If this is agreeable please report to Mr. Geo. A. Kyle, division engineer, Fort Garry Court, Winnipeg, Man., at your earliest convenience"? A. Yes.

Q. He then replied on the 6th April as follows:

Decatur, Ill., April 6, 1904.

"J. R. Stephens, Esq.,

"Asst. Chf. Engr. G. T. P. Ry., Montreal, Que.

"Dear Sir,—Yours of the 2nd inst. received and contents fully noted. I accept position as locating engineer at salary stated and will leave Decatur, Ill., on the 11th inst. for Winnipeg, Manitoba, via Chicago.

"Thanking you very much for your offer, I remain, yours very truly,

"W. E. COLLADAY."

This was in April, 1904? A. Yes.

Mr. BIGGAR: Mr. Stephens has made a mistake as to the man he is to replace, Raymond Heckman instead of Mr. Heaman.

THE COMMISSIONER: Now, as to Pim, you say that he is a British subject—J. P. Pim? A. I think he is, I have been so informed.

Q. At any rate you are pretty certain he is an Irishman? A. I only met him once. I think he came from Wyoming; Mr. Kyle engaged him.

Q. His communications are produced addressed to Mr. Hobson in February, 1903, before you came here and then after you came Mr. Kyle engaged him? A. I am quite positive Mr. Kyle engaged him.

Q. Well, now, he has been dismissed, discharged from the service, has he not? A. I think he is out of the service, I do not think he has been dismissed, but has been relieved.

Q. Why has he been relieved. Mr. Knowlton took charge of Mr. Kyle's division and Mr Knowlton relieved him? A. That is quite likely.

Q. Mr. Knowlton does not say that in this letter dated May 30th, 1904, which is as follows:

"North Bay, May 30, 1904.

"Mr. J. R. Stephens, Montreal, Que.,
"Mr. G. A. Kyle, Winnipeg, Man.,
"Mr. C. C. Van Arsdoll, Edmonton, Alta.,

"Dear Sirs,—I have appointed Mr. C. F. Gailor as asst. engineer in charge of party No. 7, vice Mr. J. P. Pim, whom I have been obliged to discharge for incompetence.

"Yours truly,

"GEO. A. KNOWLTON,
"Division Engineer."

Q. Did you know how Mr. Gailor was appointed? A. I did not know.

Q. You are not aware that he is an American? A. No.

Q. Did he apply to you for a position, do you know? A. He may have applied through the office, but I have no personal recollection. Mr. Knowlton made the appointment.

Q. Here is a letter from Mr. C. F. Gailor to Mr. Chas. M. Hays, Gen. Mgr. Grand Trunk R.R., Montreal, Que., dated November 3, 1903, applying for a position:

"Dear Sir,—I take the liberty of writing concerning the need of engineers for your new transcontinental railway and would say that I would be pleased to furnish you with a description of my ability and character, together with the references you might require.

"I have a complete outfit of instruments and could furnish a whole party on short notice.

"I have had considerable experience in railway work of all kinds and can guarantee satisfaction.

"Hoping to hear from you soon, I am

"Yours very truly,

"C. F. GAILOR."

"Kingwood, W. Va., Nov. 3, '03.

C. F. Gailor, that is the same man? A. I am not sure.

Q. The initials are the same as the man Mr. Knowlton wrote to you about? A. Yes.

Q. Then Mr. Hays forwards the letter to you, do you remember? A. He is probably the same man.

Q. You don't know anything personal about him? A. No, I never saw him.

Q. He, however, replaces Mr. Pim, whom you think was a British subject? A. Yes.

Q. I understood you to say the other day that you did not do anything for the purpose of obtaining American engineers by visiting the States for them. A. No, I only know what has been done in that way as indicated in the correspondence.

Q. Which is indicated in the correspondence that I have read? A. Yes, with this exception that passing through Chicago once or twice I met some engineers and spoke to them.

Q. Here is a letter from Mr. H. W. Parkhurst dated Chicago, August 5th, 1903—do you know Mr. Parkhurst? A. Yes, I was introduced to him the first time I met him in Chicago.

Q. He writes to you on August 5th while you were stopping in Chicago:

"Dear Sir,—Referring to your visit of this morning, inquiring for a competent locating engineer:—

"I take pleasure in introducing to you Mr. J. P. Coleman, who has been engaged with this company for several years and who is entirely familiar with location work, and who may possibly suit your purposes.

"Very truly yours,

"H. W. PARKHURST,

"Engineer of Bridges and Buildings."

Is that correct? A. Yes, I went there and was introduced by an old friend and told him I would like to see Mr. Parkhurst personally, and I met him and he started this talk about locating engineers and the matter came up incidentally.

Q. You did not call on him for that purpose? A. I did not go for this purpose.

Q. While you were there you made these enquiries? A. Yes, at the same time I saw Mr. Alexander Stewart and two or three others.

Q. You asked them to introduce you to a competent engineer? A. Yes, I asked them to furnish me with the names of competent locating engineers, just the same as I asked Mr. Tye here to make recommendations.

Q. And Mr. Parkhurst wrote that letter? A. Yes.

Q. Is Mr. R. W. Ball employed, there is a Ball on your list, is that the one? A. I am not sure of that; Mr. Mellen has gone away, he will be back.

Q. You do not know whether he is a transitman on party No. 10? A. I don't know.

Q. Well, he came from Kentucky if it is the same man? A. I am not clear about that.

Q. Do you know Mr. Rice? A. No.

Q. Where is he? A. I never met him. He is not with us.

THE COMMISSIONER to Mr. Mellen: Do you remember Mr. Bull? Is he the Mr. Bull who is transitman of No. 10? A. I do not remember, we have a Mr. C. W. Bell and we have a Mr. Ball.

THE COMMISSIONER to Mr. Stephens: You do not know Mr. Rice? A. No, I do not. He was assistant engineer under Mr. Kyle east of Winnipeg.

Q. East of Winnipeg, his name is on the pay roll——? A. He is not there now.

Q. Was he there at any time? A. Yes.

Q. Now, Mr. C. E. Carpenter of Topeka, Kansas, writes you in September, 1903: "Mr. E. S. Rice, civil engineer, informs me that you want a number of locating engineers and asked me to write you." Now do you know that Rice? A. Yes. I have seen him. He is office assistant of the Santa Fe in Chicago. When I went there I had a talk with him at the same time with Parkhurst and others.

Q. You went around with Parkhurst, Rice and others, do you remember Lederle or Mr. Warder? A. No.

Q. The last is secretary of one of the societies? A. I don't remember him, I may have met him.

Q. Do you know Mr. Bainbridge? A. Yes, I have met him.

Q. You were enquiring of these gentlemen about getting locating engineers? A. Yes.

Q. And in consequence of that these applications were made to you? A. Yes, some of them.

Q. There was also a Mr. Sesser, do you remember him? A. No, I don't remember Mr. Sesser.

Q. He also states that Mr. Rice was desirous of getting engineers for you. On the 6th August he writes:

"I have been advised that you are in need of engineers to take charge of 200 miles of your lines and I wish to make application. I wish to refer you to the conversation you had about me with Mr. Rice of Chicago."

So that you were really desirous of getting some engineers? A. I made enquiries.

Q. Was that part of your business in Chicago? A. No, no part.

Q. Up to that time you had not obtained any engineers for the road? A. I had some in August. I was there about July.

Q. They wrote in August and September, but Parkhurst wrote on the 5th August, so that it must have been in August that you were there? A. Somewhere in July or August.

Q. What were you doing there? What particular business were you

attending to there? A. I was settling up some old matters in connection with the Santa Fe work.

Q. That is your own personal matters? A. Yes, Santa Fe matters.

Q. That was your own personal matters, outside of this company? A. Yes.

Q. Who was Mr. Lederle? A. Mr. Lederle is a civil engineer I met in Chicago accidentally; he had just returned from the Phillippine Islands and we began discussing the subject of engineers and he took me around and introduced me to some of his friends.

Q. Mr. O. E. Strelhow on the 14th August, 1903, wrote you from Demopolis, Alabama: "Mr. Geo. A. Lederle informed me that you are in need of some locating engineers to put on your extension to the Pacific coast. I would be glad to accept a position as locating engineer if you still have a vacancy and the position would carry sufficient salary to justify a change." Had you asked Mr. Lederle to get you some locating engineers? A. No, I just suggested the thing to him.

Q. Then why did these men write in this strain? A. They must have found out in some manner that we were in need of engineers.

Q. How can you account for their using the names of Messrs. Rice, Parkhurst and Lederle? A. I did not intend it.

Q. And then Mr. Parkhurst saying: "Referring to your visit of this morning." You did not know Mr. Parkhurst before? A. I did not know Mr. Parkhurst before.

Q. How do you account for it, then? A. He must have misunderstood it.

Q. And then Mr. Strelhow stating: "Mr. Geo. A. Lederle informed me that you were in need of some locating engineers." Had you asked him? A. Lederle went with me to Parkhurst.

Q. Had you seen Lederle before? A. No.

Q. Bayne, do you know him? A. I did meet him, he is one of the engineers of the—I forget the road.

Q. Then there is Mr. F. H. Bainbridge, who writes from Gilbertsville, Ky.; he omits the date, but the letter is of 1903, he states:

Gilbertsville, Ky., 1903.

Mr. J. R. Stephens, Prin. Asst. Engr. Grand Trunk Ry.,

Dear Sir,—My friend Mr. Geo. A. Lederle, whom I met on the train last evening asked me to recommend a locating engineer. I recommended Don. Rounseville, C. & N. W. Ry., Kaukauna, Wisconsin, and promised Lederle to write you this. Rounseville is the best locator on the C. & N. W. Ry., where I was bridge engineer for a number of years. He goes over all the difficult locations for the C. & N. W. Ry. and I know him to be an A1 man to handle work in large quantity, either with or without contractors. He is now division engineer, but would, I believe, accept a good offer.

Yours truly,

(Sd.) F. H. BAINBRIDGE.

Q. That is the same gentleman that Mr. Stowell refers to? A. The same gentleman.

Q. So you had not seen him when you were in Chicago? A. If I saw him at all it was at that time, but I have no recollection of ever having seen him.

Q. Now we have Rice, Lederle, Parkhurst and Warder all trying to get men for you? A. Yes.

Q. And you say that you did not give them any instructions or express any desire that they should do so? A. I do not say that I did not have a

talk with Lederle and ask if he could obtain locating engineers, and the thing was done informally and there was no direct obligation made, unless he did it himself.

Q. Is Mr. Dauchey employed? A. No.

Q. He is from Chicago? A. Yes.

Q. He has no status here at all? A. No.

Q. Mr. Bainbridge wrote you stating that he was informed by Mr. Lederle that you required a locating engineer, and now there is a letter from Mr. J. L. Lancaster of Cairo, Ill.—do you know him? A. Yes.

Q. He says: "I am advised by my friend Mr. Bainbridge of the Illinois Central R. R. that you are looking for a good locating and construction engineer"? A. Yes. Lederle is the man who took that up for me, but he was not authorized to do so.

Q. Now, you offered a position to Mr. F. Meredith Jones of Willets, Cal., do you know Mr. Jones? A. Yes, I know him personally.

Q. He is an American? A. Yes.

Q. He was unable to take the position at that time? A. Yes.

Q. Has he since? A. No.

Q. What position did you offer him? A. I do not remember. I had in mind giving him one of the district engineerships.

Q. He was on the Santa Fe with you? A. Yes.

Q. He writes on the 10th of September, 1903: "I have just learned that you have sent me an offer of a place through Mr. Dun's office.

"I write to thank you and to say that I hope at some other time to find employment with you."

That is the same Mr. Dun that has already been mentioned. A. Yes.

Q. Now there is a Mr. Blanchard, he is on the same list, I think? A. I do not think so.

Mr. MELLEN: If he is on our list he is on that of levelmen.

THE COMMISSIONER to Mr. Mellen: Is that man a levelman? A. Yes. Levelmen are all local men.

THE COMMISSIONER to Mr. Stephens: Do you know Mr. H. S. Moreland from Angelica, N. Y., he writes to you and says, the letter is dated April 8, 1904:

"I have had some correspondence with Mr. Geo. A. Knowlton regarding a position as locating engineer. To-day I received a letter from him stating that he would like to give me the position but his work being mostly on the Government section he is under the necessity of employing Canadians, if it is possible to get them."

Q. That is the stand Mr Knowlton took? A. Yes, that is the stand he took.

Q. Mr. Knowlton wrote to him with your knowledge? A. Yes.

Q. Then there was a letter from Mr. B. D. Critchelow, from Alamosa, Col., dated 9th April, 1904, in which he says:

"In a letter received from Mr. Kyle under date of March 14th he informed me there would probably be several parties put in the field in the spring west of the Mountains and advised me to write Mr. Van Arsdoll at Edmonton, which I did. I have as yet received no reply and fear my letter failed to reach him and therefore ask that you will kindly remember me when the parties are made up."

"Very truly yours,

"B. D. CRITCHELOW."

Q. That is all you know about Mr. Critchelow? A. He is not employed.

M. BIGGAR: He is in the Grand Trunk service west of Detroit, not on the Grand Trunk Pacific.

THE COMMISSIONER to Mr. Stephens: Then there is a letter from Mr. W. G. Warnick of Seattle, Wash. You referred these letters to Mr. Kyle and Mr. Van Arsdoll? A. Yes, that is the rule.

Q. And allow them to use their discretion as to employing them? A. Yes.

Q. Who is Mr. W. H. Kennedy? A. He is chief engineer of the Oregon Railway and Navigation Company at Portland, Ore.

Q. I see that you have written to him as to the qualifications of the applicants? A. Yes.

Q. Is he a gentleman you could rely on? A. Yes.

Q. And Mr. E. P Watkins of St. Paul? He also applied to you on April 6th, and you wrote to Mr. John F. Stevens of Chicago and also to Mr. Alexander Stewart of Seattle as to his ability? A. Yes

Q. That was with a view to employ him if he was qualified? A. Yes, I wished to get recommendations.

Q. When you did that you had no personal knowledge of his ability? A. Yes.

Q. You say Mr. C. E. Perry is a Canadian, is he a British subject? A. I believe he is.

Q. Where did he come from when employed by the company? A. He had charge of the Trans-Canada location work north of Lake Winnipeg, and then he went out to the coast in the neighborhood of Port Simpson. He came back and made application and I gave him a position. Mr. Perry's application was personal; he came into the office and we had a vacancy.

Q. Do you remember what position he had over in Seattle, was he in a high position there? A. He was on a railway that ran from Seattle to the boundary line.

Q. When did he give that position up? A. I do not know.

Q. He lived over there when you employed him? A. Yes.

Q. Now, Mr. McCarthy of Ottawa has applied for the position of division engineer? What have you done with reference to his application? A. Mr. McCarthy was with us some months and when he came in he had some disagreement with Mr. Knowlton and he left our service. I have not the slightest objection to say that he will get work again if he will come back. He is a good man and recommended by a number of eminent engineers, such as Mr. Lumsden, and even Mr. Hobson, I think, is favorable.

Q. That is the reason he was employed, and Mr. Schreiber speaks highly of him and recommends him. He was not employed as division engineer? A. He was not employed as division engineer.

Q. Up to what time, do you remember, March of this year? A. Probably up to February, 1904.

Q. He applied for a division engineership since then? A. Yes.

Q. Is he capable of taking charge of a division? A. I think he is capable of taking charge of a district, not of a division.

Q. You would not agree to appoint him to a division? A. Not without trial.

Q. Has he an application in for a division? A. Yes.

Q. Well, with the recommendation that these gentlemen gave him, don't you think that he would be qualified for a division? A. I would not like to say that.

Q. Can you get any better recommendations than he has? A. No.

Q. And he is a British subject? A. I do not think he has applied for such a position.

Mr. BIGGAR: You will probably get more information from Mr. Knowlton; there was a good reason for his leaving the service. Mr. Stephens thinks he is an able man. He does not know as much, probably, about the reasons as Mr. Knowlton.

THE COMMISSIONER: Sir Thomas Shaughnessy speaks highly of him. He did important measuring north of Lake Superior. He has had charge of a large number of men and has had heavy construction work to do, and I believe that a man who is capable, under such conditions of taking charge of sixty men, is capable of conducting a division. A. Yes.

THE COMMISSIONER to Mr. Stephens: Then there is Mr. Ord. He is assistant engineer. He also produces good references, one from Mr. A. E. Doucet, chief engineer of the Great Northern Pacific, and he said Mr. Ord is capable of acting as division engineer. What is your experience? A. I think Mr. Ord is a very good man.

Q. As division engineer? A. I have not put him to the test.

Q. You think he could fill that position? A. I cannot tell until he is tried.

Q. And have you tried him? A. No.

Q. There are a number of strong recommendations? A. He is in our employ.

Q. Yes, but in a subordinate position? A. Yes.

Q. Then there is Mr. James A. Paterson, who is a Canadian, although at present in West Virginia, desirous of returning to Canada on account of health. He has a number of very superior references? A. Please let me see, I do not know him. I don't know that Mr. Paterson. I met his brother. He would not accept.

Q. What position? A. Locating engineer.

Q. At what salary? A. $175 per month.

Q. What position did he ask for? A. I do not know.

Q. When did you offer him that position? A. About the 1st March, 1903. He was here personally. I am speaking of his brother, not himself, he is in West Virginia.

Q. Was it on March 1st, 1903? A. Yes, when I saw his brother.

Q. Are you sure it was as early as that? A. Yes, I am quite confident.

Q. All this correspondence is subsequent to that? A. I have no knowledge of his brother, J. A. Paterson.

Q. There are two J. A. Patersons; the lawyer, his brother, is John A., and res. engineer is James A. You think that was in March? A. I feel confident it was.

Q. That was prior to the receipt of these letters? A. I do not know how the correspondence was dealt with.

Q. It was dealt with in no way. You referred it to Knowlton and Knowlton replies: "Yours of 21st regarding J. A. Paterson received. As requested I have seen Mr. Russell—. Who is Mr. Russell? A. Chief engineer of the Temiscamingue and Northern Railway for the Ontario Government.

Q. "And he informs me that he is personally acquainted with Mr. Paterson." That was on the 22nd July? A. Yes.

Q. And nothing has been done since Mr. Paterson's application? A. No.

Adjourned until 2.30 p.m., at general offices of Grand Trunk Railway.

Meeting at 2.30 p.m. at general offices of Grand Trunk Railway, Montreal, 1st June, 1904.

Present: HIS HONOUR JUDGE WINCHESTER, Commissioner.

Mr. J. R. STEPHENS recalled:

THE COMMISSIONER: We left off at Mr. Paterson? A. Yes. I would ask your Lordship to make a correction with reference to Mr. Lederle. I said I never met him before. The first time I met him was ten years ago and the meeting was accidental.

Q. Is he an engineer? A. He is a contractor on United States Government work.

Q. Is he an engineer? A. He was.

Q. Is he connected with any society of engineers? A. He belongs to the American Society of Engineers.

Q. In that way he would come in contact with a number of men? A. Yes.

Q. Do you remember the applications of Mr. Frank Moberley and Mr. Walter Moberley? A. I believe I do.

Q. What did you do in connection with their applications? A. I don't know.

Q. Why? A. I did not have any places for them at the time.

Q. And that was the reason why you did not appoint them? A. Yes.

Q. Mr. McCarthy has lately asked for a position you have explained that already? A. I have explained it.

Q. Did you explain about Mr. Ord? A. I employed Mr. Ord.

Q. As assistant engineer? A. As assistant engineer.

Q. What about his qualifications as division engineer? A. I cannot say about that until I try.

Q. That is the reason why? A. Yes.

Q. You do not know whether he is fit to be a district engineer? A. I would not say he is not

Q. Do you know Mr. Schreiber, Deputy Minister of Railways and Canals? A. I met him once.

Q. He has recommended the employment of certain men in connection with the work, have you seen his recommendations? A. Yes, I think they were sent to Mr. Hobson originally and he subsequently referred them to me.

Q. What did you do in reference to his recommendations? A. Looked at the list and——.

Q. Anything further? A. If you will quote the letters I will tell you, I do not remember.

Q. He recommended as engineer in charge of surveys, Mr. Hugh Lumsden, of Toronto? A. Mr. Hays satisfied you on this matter.

Q. It was before you came? A. Yes.

Q. H. A. McLeod of Ottawa, recommended as engineer? A. He don't know anything.

Q. Mr. Schreiber recommended ten in all, have you had any communication with them? A. I may have, but I have no recollection.

Q. J. S. O'Dwyer, engineer in charge of a party, have you any recollection of that gentleman? A. No recollection.

Q. J. S. V. Caddy, of Ottawa? A. No.

Q. He also applied by letter? A. You will understand that usually I am away a great deal of the time and a great many of these applications pass through other hands.

Q. These were before you came here, Mr. Stephens. The files were turned over to you for consideration, but you have no recollection of considering these different applications at all? A. No, we did not know at the time we had any openings.

Q. Ambrose Duffy, Ottawa? A. Don't remember him.

Q. C. E. McNaughton, Coteau du Lac; James Brophy, Ottawa; James A. Dickey, Amherst; William McCarthy, St. Peters, C. B.? A. I am not sure.

Q. T. Ruel, from Charlottetown; A. Wise, Coteau Landing, and F. R. Wilford, of Cardinal. The two last are recommended as levellers and five of the others as transitmen. Hugh Lumsden and two of the others were recommended as engineers in charge of survey and O'Dwyer and two others as engineers in charge of a party. From your recollection none of these have been accepted by the company? A. I am not sure.

Q. The names do not appear on the pay roll? A. If they do not they were not employed.

Q. Do you remember what Canadians you have employed, who were in Canada when you employed them? A. I think that the statistics that we furnished you will show that. Unless you specify some names ——.

Q. Take the office staff at North Bay; Stadley, the chief transitman, did you employ him or do you know anything about his employment, or was that left to Mr. Knowlton? A. I would not say positively. He came to us from the Algoma Central.

Q. D. S. McLeod, did you employ him? A. Yes. He came from the Grand Trunk office here. We got him from that office here.

Q. There is S. H. Mason, J. A. H. O'Reilly? A. He is a local man.

Q. Goddard? A. He is a local man, has been appointed engineer of St. Boniface.

Q. How much do transitmen receive on the surveys? A. $80, $90 and $100 per month and expenses. There is no regular wages. Mr. Mason receives $100. Mr. Goodman is the only one who receives more.

Q. The rest of them receive $75, not one of them more and not one $80? A. That list is correct.

Q. There is apparently one man, Kent, who receives $80, the others all $75? A. Yes.

Q. What do these men receive on the other side? A. They receive the same pay: I do not think there is any difference.

Q. How much did Mr. Goodman receive when on the other side, do you know personally? A. No. But there has been no difference made between the wages rate there and the wages rate here as established by companies operating in Canada.

Q. Is our wage rate higher here than in the United States? A. I do not think it is.

Q. Suppose we take Mr. Kyle, what was he paid when you employed him? A. I think he was getting $300 per month.

Q. And Mr. Knowlton? A. I don't know.

Q. Mr. Van Arsdoll? A. I think he was getting $175 per month.

Q. Well, now, each of them get $4,000 a year? A. Yes.

Q. And Mr. McNeill, district engineer? A. I don't know what he was getting.

Q. Nor Jones? A. He was getting $175 from the C. P. R.

Q. And you are giving him $250? And McNeill gets $250. A. Yes.

Q. And Hannington gets $250? A. He was first employed at $175, but was promoted to $250.

Q. He was land guide on the other side when you employed him. What do land guides get? A. $175 I think.

Q. And you are giving him $250? A. Yes.

Q. Mason, what was he getting? A. I do not remember.

Q. And Mr. Gailor, can you tell me how much he was getting as assistant engineer? A. I cannot say, as Mr. Knowlton engaged him.

Q. As to Ord and the others, have you any information about them? A. No, I have not.

Q. Can you say how much you were getting on the Santa Fe? A. I decline to do it.

Q. Have you any objection to saying whether you received an advance here? A. I had an advance.

Q. I do not wish to press it at all. You are not an alien, you need not be worried about that fact? A. I am not worried.

Q. Mellen, how much was he getting? A. Many different salaries.

Q. When you employed him?

Mr. MELLEN: $150 per month on the other side, before that I was getting $200.

THE COMMISSIONER to Mr. Stephens: Do you know anything about Mr. Collins? A. Yes, J. J. Collins?

Q. There are two Collins, this is J. J. Collins? A. Let me see the correspondence to refresh my memory.

Mr. MELLEN: Mr. Collins is a mechanical engineer.

Mr. STEPHENS: I cannot say as to this.

Q. You seem to have had an interview with him from this telegram? A. I do not remember.

Q. He applies for the position of locating engineer? A. He is a civil engineer at Ottawa?

Q. Yes. Do you remember receiving these testimonials from him? A. No, I do not.

Q. There are several testimonials here. There is one from Mr. Geo. P. Brophy, superintending engineer of the Ottawa River Works: there are letters from Messrs. Kidd and Birkett, Members of Parliament—? A. I do not take much stock in testimonials Members of Parliament might give him.

Q. But there are testimonials from Mr. Brophy and Mr. E. J. Walsh, manager of the British and Can. Lead Co., Ltd., Lake Temiscamingue, Que., and W. G. Thompson of St. Catharines. Now he makes a very long statement as to his qualifications in a letter dated 1st August, 1903. He says that in 1882 he graduated from McGill University, and he sends his card with about twelve initials which it would take an expert to make out? A. I do not know anything about him, but if he is an expert witness I would like to have him come here and take my place.

Q. One at a time, Mr. Stephens. I am sure both of us will be glad when it is over, but when Mr. Collins with such a record as that has had to wait patiently——? A. Yes, I think the gentleman patient.

Q. Was the fact of his being a mechanical engineer then to blame for the delay when he has been locating railways throughout the country? A. He was not refused for that cause.

Q. Why was he refused? A. Because we appointed somebody else, what is the date?

Q. July, 1903. A. We had no openings at that time.

Q. You had openings since? A. Yes.

Q. You did not consider him at all in that list? A. Yes.

Q. He writes you a pretty strong letter on May 4th, 1904; it reads as follows:

"Dear Sir,—On the 31st July, '03, as directed by Mr. Hays I interviewed you at your office and presented a letter initialed by him; following this, as requested by you, I mailed to your address a synopsis of some of the different works I have been connected with receiving the reply that when the proper time arrived my application would be considered. I have

not as yet been notified of any consideration, but on the other hand have read of numerous appointments having been made and also of the alleged favoritism to American engineers, regarding which I wish to say, I am a Canadian of United Empire Loyalist stock and cannot believe such to be the case for Canadians know their country while outsiders do not, this applies particularly to location of railways in our country.

"I enclose you a few testimonials, hoping that the time has arrived for a favorable consideration of my request and thanking you in anticipation."

He is still in anticipation? A. Yes, that is the best way to put it.

Q. And nothing whatever came of it? A. No, but there was no animus in the matter.

Q. And then on August 1st, 1903, he had written you as to his ability and qualifications? There are about 100 applications from Canadians that I have gone through. One is from a Mr. Armstrong of St. Catharines, J. H. Armstrong, Box 7, do you remember him? A. I do not remember him.

Q. Now, do you remember what you did upon receiving these applications from Canadian applicants? A. I filed them with the others, classifying them as nearly as possible according to their ability and experience.

Q. When I say Canadians I mean either Canadians or British subjects? A. I understand, but there was no distinction made in that way whatever.

Q. Now they commenced in December, 1902, and continued writing up to the present time, May, 1904? A. Yes.

Q. Did you enquire into the ability and qualifications of each of these men and see whether they were capable of doing the work they applied for? A. In so far as I had the personal appointment I did and made sure of it. In so far as the division engineers were concerned they appoint their subordinates and I have to rely on them.

Q. Did you send these applications to the division engineers? A. Yes. If they received the applications they referred them to me when they asked for a position.

Q. Here is a letter from Mr. Knowlton in which he explains as to Mr. Paterson's abilities; you sent it to him for the purpose of employing Mr. Paterson if he should think proper to do so? A. Yes.

Q. Then there is also Mr. James H. Kennedy of St. Thomas. Do you remember him? A. No.

Q. It was forwarded to you by Mr. Logan. He wrote to Mr. Hays and you sent it to Mr. Van Arsdoll? A. Yes, if the record shows it.

Q. The record shows that you sent it on. Mr. Van Arsdoll writes on the 29th October, 1903:

"Referring to my letter of October 8th, relative to application of Mr. Jas. H. Kennedy of St. Thomas, Ont., I have not yet provided for engineers to take charge of locating parties. When the work of surveys commences if Mr. Kennedy is a capable man for this work and desires a position I shall be glad to have him when the work is commenced."

When did that work commence? A. Shortly after that and Mr. Kennedy was not appointed.

Q. If Mr. Kennedy was not appointed who was appointed? A. The last name on your list.

Q. Callaghan, Mann and Going.

Mr. MELLEN: Callaghan is in No. 16.

Q. Is there any No. 19? A. No party.

Q. Then Callaghan was appointed in February, 1904? He is an American? A. I think he is, I don't know.

Q. Mr. Kennedy's qualifications; were they enquired into further than this letter? A. I don't know; the matter was referred to Van Arsdoll.

Q. Then Mr. Knowlton writes: "I return herewith applications for employment and papers in regard thereto, of Jas. H. Kennedy, Frederic R. Page and D. O. Lewis."

Q. Do you know where Mr. Page is from? A. No.

Q. I could not find his application. And D. O. Lewis? A. I don't know him.

Q. You remember Mr. Lewis of Bernard avenue, Toronto? A. No, I don't remember.

Q. These are some I have picked from the list and Usborne and Mr. Von Roberts——

To Mr. Mellen: Do you know where these two came from? A. Usborne came from Niagara Falls, Ont., or St Catharines, and Von Roberts was recommended by Mr. Doucet and was offered a position in charge of party No. 5 and finally declined the offer and sent an application from a young gentleman named Gzowski.

Q. Then Mr. Usborne has been appointed? A. Yes.

To Mr. Stephens: Well, you referred all these different applications to the division engineers? A. As far as possible we sent them a notice of the application when received or only when asked for by them. Occasionally the whole of the correspondence or a synopsis of the same was sent.

Q. Have you applied to any of the Canadian societies of engineers for men? A. No, not directly.

Q. Or indirectly? A. Yes. By conversation with gentlemen like Mr. McNabb and Mr. Tye, chief engineer of the C P. R., but I have not done it in a formal way at all.

Q. Not to the society? A. No.

Q. Mr. Knowlton wrote a letter to the society some time since?

Mr. Biggar: I can put that in now. He wrote to Mr. McLeod.

Q. This is the letter you say Mr. Knowlton wrote on the 17th March, 1904, to Professor C. H. McLeod, 877 Dorchester street, Montreal:

"Do you know of any good locating engineers that you could recommend? They must be good men of experience, good bushmen and rustlers and willing to undergo extreme hardships. It is very possible that I could place one or two such men if I knew where to get them."

To Mr. Stephens: Do you remember when that letter was sent? A. Yes, it was sent without any suggestion of mine.

Q. He also wrote to Mr. J. S. H. Bogart, Professor of Queen's College, Kingston, to the same effect? A. Yes.

Q. On the 23rd March, 1904, Mr. C. H. McLeod writes to Mr. Knowlton:

"I beg to acknowledge receipt of your letter of 17th instant, and will endeavour to ascertain the names of some men for you."

A. Yes.

Q. Then on the 29th March Mr. Knowlton writes to Professor Bogart:

"I have your letter of the 22nd inst. recommending Mr. T. N. Fairlie, and while I would like very much to do something for the young gentleman, you will understand that owing to the great distance separating our work from civilization it is utterly an impossibility for us to engage men for the summer months only, as we would hardly have time to get the men into the country before we would have to bring them out again; and we

have found in cases of men engaged for a short length of time that they get very little experience themselves and simply have a long and arduous trip with very little gain."

A. Yes.

Q. And on the 14th April, 1904, Mr. Knowlton again wrote to Mr. Bogart as follows:

"Your favor of the 7th inst. was found by me on my return to North Bay from the west. While I should like very much to give employment to young men taking the course in engineering, as it has always been my practice to assist any man of this class, I regret very much that the conditions in which I am placed are such that it is practically prohibitory, as it takes about one month to get into the work and the same time to get out, so that you can readily see that the time on the work is very short for students desiring work during the summer season. The expense to the company to change men is about $150 to $200 each.

"With regard to your application, I would say that I have no work near North Bay at present. What may develop later I cannot say, but should anything turn up I will keep you in mind.

"I have an application from J. V. Dillabough which I have answered.

"Although it appears a great undertaking like the G. T. P. Ry., a large number of engineers and instrument men would be required, on the contrary, the present number is comparatively small on my division, which covers 800 miles, I have only seven parties; and, as the work has been in progress about one year, I have my parties well organized and I am putting out no new parties this spring, so you can see I have very few positions to offer."

Has Mr. Knowlton put out any parties since then? A. No; he had one party come in, and they start as soon as the ice breaks up and they can get out.

Q. These are just young men for the summer season? A. During the summer vacations.

Q. They are not the class of men you desire? A. No.

Q. Among the classes of men applying to you for positions you will find a great many classifying themselves as having been students of different educational establishments? A. I have not seen any of these.

Q. But I have. There are 100 applications from engineers in Canada and none of these have been engaged. Is not that the case, Mr. Mellen?

Mr. MELLEN: Some are marked engaged, none you have mentioned so far have been engaged.

Q. There is a large number on this list from Nova Scotia, Cape Breton, Halifax, Charlottetown and Quebec, which I do not find by the files to have been engaged. Have you submitted these names to your division engineers for employment? A. I do not think the latter part of the list has been submitted but the first part has been, when the applications came into this office.

Q. There is a Mr. Dimsdale writing from Belle Ewart who applied for work and could not get any work and he thinks it a hardship for a Canadian.

Mr. BIGGAR: I think all these cases should be determined on their merits, how can one take it for granted that all these people are qualified as they say. Of course I do not know, Mr. Stephens is the qualified man to say.

THE COMMISSIONER to Mr. Stephens: Mr. H. G. Dimsdale of Belle Ewart writes in May, 1904, that he has great experience in engineering

as locating engineer and served as division and resident engineer. He applied in May, do you remember the man? A. This May?

Q. Yes. A. I was away at the time.

Q. So you have not heard of him at all? A. No.

Q. What means do you take to find the qualifications of these men? A. I judge from the tenor of their letters and make personal enquiry of any engineers that I may happen to meet. This has been the rule with very few exceptions.

Q. As to the district engineers? A. They have been appointed by division engineers.

Q. Do they report to you before appointing them? A. No.

Q. Of course it would be only natural to appoint men you knew? A. They only ask me for authority to appoint them, and I refuse or grant it, as the case may be.

Q. What can you get draughtsmen for in Montreal, what is the usual rate of wages? A. About $100 per month.

Q. You pay Mr. Goodman $125? A. He is a little more than a draughtsman. He is very good at classifying different matters in connection with the service and keeps everything in ship-shape order. No ordinary draughtsman can do that absolutely nice.

Q. Who filled his position before he was appointed here? A. The position was vacant.

Q. Have you enquired whether any draughtsman could be appointed from Montreal to fill it? A. Yes.

Q. From whom? A. I enquired about that appointment of engineers, I do not remember the names, it was by conversation.

Q. Now of all these names I have mentioned as applying because of information given them by Mr. Lederle, Mr. Rice and Mr. Parkhurst, have you employed any? A. No.

Q. None of these men have been employed by you? A. Not one, at least I think not one.

Q. Were there any persons employed who came from that source? A. No—yes, just one, Mr. Bacon.

Q. He was employed? A. Yes.

Q. How was he appointed? A. Mr. Lederle recommended him.

Q. What was he getting? A. I do not know; that is the only one, it was purely accidental.

Q. Was Mr. Colladay appointed through that source? A. No. I met him in Chicago and he asked for a position.

Q. Was Mr. Callaghan appointed through that source? A. No.

Q. How was he appointed? A. I think it must have been through Mr. Van Arsdoll.

Q. There are no others appointed to your knowledge through that source? A. No.

Montreal, 1st June, 1904, the Grand Trunk Offices, 2.30 p.m.

W. H. BIGGAR being sworn:

THE COMMISSIONER: Please tell us what you know, Mr. Biggar?

Mr. BIGGAR: A. Two parties have been mentioned in the evidence, Messrs. A. McDougall, son of the Auditor-General, Ottawa, and Mr. J. J. Collins, also of Ottawa. Mr. McDougall was an applicant for a position under the Grand Trunk Pacific. I had several interviews with him at Ottawa. His idea was to get a large section, location and construction both, as far as I recollect, and finding that that work was going on slowly and that the Government was preparing to build a line from Winnipeg, he

stated that he preferred waiting his chances with the Government. With regard to Collins, I was present at an interview which he had with Mr. Hays when in Ottawa, when Mr. Hays came to the conclusion, after a personal interview, after hearing what that gentleman had to say, that he was not as efficient as he might be and he did not give Collins any hope. It is very difficult to find a man who will state whether another is qualified or not. Mr. Hays was well disposed towards Mr. Collins because he had a very strong letter of recommendation, but after the interview he felt that the man was not competent to take the position he was seeking. That is all I have to say.

Mr. MELLEN: During Mr. Stephens' absence I offered Mr. McDougall a position as transitman. He knew nothing about location work, though he wanted to get charge of a party, and I told him that it was impossible to place him in charge of a party as he knew nothing about it. If he wanted to go as transitman it was all right. He stayed around for about a week and then decided not to go.

THE COMMISSIONER to Mr. Mellen: You prepared a statement of officers covering engineers, draughtsmen, transitmen, topographers and levellers throughout the whole line of the proposed railway? A. Yes, sir.

Q. And this is correct? A. As far as I know.

Q. It is accordingly correct as taken from data in your office? A. Yes, sir, Exhibit 2, and is as folows:

GRAND TRUNK RAILWAY SYSTEM,

ENGINEERING DEPARTMENT,
... Montreal, June 1st, 1904.

J. R. Stephens, Asst. Chief Engineer; headquarters, Montreal, American. Engaged, February 20, 1903.

Geo. A. Kyle, Division Engineer; headquarters, Winnipeg. American. Engaged, April 2, 1903.

Geo. A. Knowlton, Division Engineer; headquarters, North Bay. Born at Knowlton, Que. Engaged April 22, 1903.

C. C. Van Arsdol, Division Engineer: headquarters, Edmonton. American. Engaged August 10, 1903.

E. R. McNeill, District Engineer; headquarters, Edmonton. American. Engaged September 4, 1903.

R. W. Jones, District Engineer; headquarters, Edmonton. Released to us by the C.P.Ry., Sept. 1st, 1903.

C. F. Hannington, District Engineer; headquarters, North Bay. Canadian. Engaged as locating Engineer March 10, 1903.

OFFICE STAFF, NORTH BAY.

G. W. Stadly, Chief Draughtsman: American. Engaged February 8, 1904. 4 years' residence in, and engaged at Sault Ste. Marie, Ont.

D. S. Macleod, Chief Clerk: Canadian. Engaged at Montreal, June 1, 1903.

OFFICE STAFF, WINNIPEG.

A. G. Allan, Office Engineer: Englishman. Engaged, June 6, 1903.

S. H. Mason, Draughtsman: American. Engaged October 17, 1903.

J. A. H. O'Reilly, Draughtsman: Irishman. Engaged October 5, 1903.

C. Goddard, Draughtsman: Canadian. Engaged October 11, 1903.

H. M. Goodman, Draughtsman: Montreal office. American. Engaged July 25, 1903.

NORTH BAY BRANCH.

Party No. 1.

Thos. C. Taylor, Asst. Engineer: American. Engaged August 14, 1903.
L. B. Copeland, Transitman: Canadian. Engaged November 16, 1903.
W. F. Graham, Levelman: Canadian. Engaged November 23, 1903.
F. A. Lightfoot, Draughtsman: Canadian. Engaged July 23, 1903.
G. Marryatt, Topographer: Canadian. Engaged June 1, 1903.

Party No. 2.

J. E. Tempest, Asst. Engineer: Canadian. Engaged May 2, 1903.
A. L. Cody, Transitman: Canadian. Engaged May 1, 1903.
Robt. W. Tempest, Draughtsman: Canadian. Engaged November 1, 1903.
B. Linklater, Topographer: Canadian. Engaged November 1, 1903.

TRANSCONTINENTAL RAILWAY.

Party No. 3.

Alex. McLellan, Asst. Engineer: Canadian. Engaged March 12, 1903. Discharged March 29, 1904.
W. Usborne, Asst. Engineer: Canadian. Engaged April, 1904. Party not yet organized.
Rupert Locke, Levelman: Canadian. Engaged March 15, 1903.

Party No. 4.

J. D. Nelson, Asst. Engineer: American. Five years' residence in Chapleau, Ont. Engaged as Transitman at Chapleau on October 2, 1903.
A. E. Morris, Transitman: Canadian. Engaged May 11, 1903.
F. W. Glover, Draughtsman: Canadian. Engaged February 17, 1904.
B. Housson, Levelman. Engaged December 1, 1903.

Party No. 5—Disbanded.

This Party was in charge of Wm. McCarthy, a Canadian (of Ottawa) from May, 1903, till November, 1903, when he was succeeded by Guy R. Balloch, another Canadian (who had been acting as Transitman), who had charge of the party until the Spring break-up, when the party was disbanded.

Party No. 6.

John S. Tempest, Asst. Engineer: Canadian. Engaged April 1, 1904.
P. A. Landry, Transitman: Canadian. Engaged May 13, 1903.
C. M. McKenzie, Topographer: Canadian. Engaged January 1, 1904.

Party No. 7.

J. P. Pim, Asst. Engineer: Irishman. Engaged October 6, 1903. Succeeded Wm. Mayer, and has now been succeeded by
C. F. Gailor: Canadian. Engaged May, 1904.
J. Johnston, Transitman: Canadian. Engaged September 14, 1903.
J. S. Leitch, Levelman: Canadian. Engaged September 13, 1903.
C. A. Forsberg, Draughtsman: Canadian. Engaged September 16, 1903.

PARTY No. 8.

L. R. Ord, Asst. Engineer: Canadian. Engaged July 1, 1903.
S. C. Ells, Transitman: Canadian. Engaged January 15, 1904.
H. L. Bodwell, Levelman: Canadian. Engaged October 1, 1903.
J. S. King, Draughtsman: Englishman. Engaged August 25, 1903.
S. H. Frame, Topographer: Canadian. Engaged August 11, 1903.

PARTY No. 9.

J. A. Heaman, Asst. Engineer: Canadian. Engaged November 24, 1903.
A. A. Meador, Transitman (temporarily): American. Engaged June 25, 1903.
F. O. Parsons, Levelman: Englishman. Engaged June 25, 1903.
J. McHugh, Topographer: Canadian. Engaged December 2, 1903.
H. L. Tarbet, Draughtsman: Canadian. Engaged March 1, 1904.

THUNDER BAY BRANCH.

PARTY No. 1.

C. E. Perry, Asst. Engineer: Canadian. Engaged July 1, 1903.
H. L. Buck, Transitman: Canadian. Engaged July 10, 1903.
V. J. Kent, Levelman: Canadian. August 1, 1903.
W. White, Draughtsman: Canadian. Engaged January 1, 1904.
W. E. Carr, Topographer: Canadian. Engaged January 21, 1904.

PARTY No. 2.

W. H. Mitchell, Asst. Engineer: Canadian. Engaged January 10, 1904.
C. D. Fairchild, Transitman: American; residence when enployed, Winnipeg. Engaged January 20, 1904.
A. V. Redmond, Levelman: Canadian. Engaged January 10, 1904.

PRAIRIE SECTION.

PARTY No. 10.

B. B. Kelliher, Asst. Engineer: Irishman. Engaged January 15, 1904.
C. M. Bull, Transitman: Canadian. Engaged January 25, 1904.
E. D. McGuire, Draughtsman: Engaged April 20, 1904.

PARTY No. 11.

L. A. Darey, Asst. Engineer: Canadian. Engaged February 1, 1904.
F. P. Moffatt, Transitman: Canadian. Engaged November 1, 1903.
C. H. Blanchard, Levelman: Canadian. Engaged October 11, 1903.
G. H. Bryson, Draughtsman: Canadian. Engaged October 11, 1903.

PARTY No. 12.

W. E. Colladay, Asst. Engineer: American. Engaged April 18, 1904.
N. W. Hicks, Transitman. American. Engaged February 11, 1904.
E. G. Smith, Draughtsman: American. Engaged March 1, 1904.
S. Street, Levelman: Engaged December 18, 1903.
W. M. Anderson, Topographer: American. Engaged February 20, 1904.

PARTY No. 13.

C. W. Stuart, Asst. Engineer: Scotchman; residence, Winnipeg. Engaged September 6, 1903.

L. C. Gunn, Transitman: American. Engaged February 1, 1904.
C. de St. Phalle, Levelman: Frenchman; residence, Winnipeg. Engaged November 20, 1903.
P. I. Barnett, Draughtsman: Canadian. Engaged January 1, 1904.
B. H. Savage, Topographer: Canadian. Engaged December 1, 1903.

Party No. 14.

James Hislop, Asst. Engineer: Canadian. Engaged September 7, 1903.
R. A. Henderson, Transitman: Engaged December 14, 1903.
L. E. Silcox, Levelman: Engaged November 26, 1903.
W. J. Glanville, Draughtsman: Engaged March 31, 1904.

Party No. 15.

J. Armstrong, Asst. Engineer: Canadian. Engaged September 1, 1903.
F. S. Rossiter, Transitman: American; released to us by C.P.Ry. Engaged September 7, 1903.
C. H. Hall, Levelman: Englishman. Engaged January 17, 1904.
E. H. Dodd, Draughtsman: Englishman (British Navy). Engaged December 1, 1903.
Gilbert Murray, Topographer: Engaged February 13, 1904.

MOUNTAIN SECTION.

Party No. 16.

W. E. Mann, Asst. Engineer: Canadian. Engaged September 5, 1903. Succeeded in May by
A. S. Going, a British subject, who was engaged Sept. 10, 1903.
J. D. McVicar, Transitman: Canadian. Engaged May 17, 1903.
K. E. Money, Draughtsman: Irishman. Engaged October 22, 1903.
K. Pringle, Levelman: Canadian. Engaged January 1, 1904.
F. S. Black, Topographer: Canadian. Engaged February 23, 1904.

Party No. 17.

John Callaghan, Asst. Engineer. Engaged February 13, 1904.
H. T. Hare, Transitman: Engaged February 3, 1904.

Party No. 18.

D. D. Sprague, Asst. Engineer. Engaged January 1st 1904.
D. Kyle, Transitman: American. Engaged March 8, 1904.
D. W. Robinson, Draughtsman: Engaged February 13, 1904.

Winnipeg, 6th June, 1904; the Court House, 2 p.m.

The Commission resumes:

Present, His Honour Judge Winchester, Commissioner.
" H. M. Mowat, Esq., K.C., Counsel for Dominion Government.
" Hon. J. D. Cameron, K.C., Counsel for Grand Trunk Pacific.

His Honour Judge Winchester reads the Commission:

The Commissioner: Now gentlemen, I propose to proceed at once by calling witnesses pursuant to the Commission I have just read. Before doing that, however, I would like if we could arrange to have appointments made with each member of the parties at a distance from the line of railway, and I would like, if possible, that the Grand Trunk Pacific officers should arrange for bringing them to the line on the railways nearest their present location, so that they could appear before this Commission at an early date.

Mr. MOWAT: Would Your Honour allow me, before you go into that question, to say that I am instructed to appear before Your Honour by the Dominion Government. The Dominion Government has put in the statutes this law with regard to the importation and employment of aliens to the prejudice of Canadians and it is in order to see that its provisions be not broken that I have been asked to come here. I have, therefore, a little more than a watching brief on the part of the Government, and I ask that Your Honour will, if necessary allow me to examine witnesses and to take some part in the investigation. I may also be able to furnish the names of certain witnesses. I presume that the reason why the Government has asked me to come in this capacity is that Your Honour's duties in addition to being inquisitorial are also judicial, and perhaps the Government feels that Your Honour would have a little delicacy in doing what had better be done by counsel. I can only say in conclusion that I will be ready at all times to assist Your Honour in bringing this investigation to a speedy conclusion. I am living at the Clarendon Hotel where I will at all times be glad to see any person who has anything to bring before the Commission.

THE COMMISSIONER: I am pleased, Mr. Mowat, to see that the Government has appointed you to assist in this investigation. You will have every opportunity of examining witnesses who may appear voluntarily or subpoena witnesses and I shall give you any assistance in that way that I can.

Mr. MOWAT: There is a personal matter. I regret that I was only able to learn of Your Honour's movements through the press and was not able to meet you at the place expected and I only hope that I have not put Your Honour out on that account.

THE COMMISSIONER: I offer you my thanks for mentioning this matter, but you have not done anything of the kind. We could not go on any faster than we did, or else we would have done so.

Mr. W. G. KERLE being sworn:

THE COMMISSIONER: What is your name in full? A. William Gibbs Kerle.

Q. You are a civil engineer, I understand, Mr. Kerle? A. Yes, brought up as a civil engineer and trained as a civil engineer.

Q. How long have you been so employed? A. About thirty years.

Q. What is your age? A. A little over fifty years.

Q. I understand you were employed on the Grand Trunk Pacific surveys? A. I came over from Australia and saw Mr. Kyle and he thought my recommendations satisfactory and offered me a position as transitman. I said the position was rather inferior to what I expected but would go out if he wanted me to go and I went with Mr. Mann.

Q. How long were you engaged as transitman? A. I stayed with Mr. Mann about two months when he was superceded by Mr. Mayer.

Q. When did you go out? A. On the 1st September last.

Q. And you remained there a couple of months? A. Till some time in October, and then he was superceded by Mr. Mayer.

Q. How do you spell Mayer? A. M-a-y-e-r.

Q. How long were you with Mr. Mayer? A. About six weeks.

Q. What happened then? A. I met with an accident in the field and fell over a stump and nearly broke my ribs. Shortly after that I was out one night, out a whole night and could not get over the ground. So I had to come in and report myself, which I did, and suggested that I might be transferred to some easier place. I saw Mr. Kyle when I came in and he said: "You do not get on very well with Mayer." Mayer is a difficult man to get on with; he is a man of a very dogmatic kind of nature, he swore

at me and was the most objectionable man to get along with I ever met. I told Mr. Kyle all this and asked him if he could get me anything else to do. In the meantime Mayer had come back and I went back month after month and finally asked Mr. Kyle sometime after Christmas what the reason was and what he meant by it. I told him there were many parties going out in all directions and I wanted to know the reason why I remained months upon months sitting down here doing nothing. I asked him why he did not employ me and he said I am told you cannot do your work. What about Mr. Mann? I asked him, Mr. Mann had no fault to find with me. My references are first-class and you were satisfied with them yourself." We had a few words and he ordered me out of the office. Then I was five months idle in Winnipeg——.

Q. What are you doing now, Mr. Kerle? A. I am doing some drafting for the Manitoba Government as engineer. I have been with them two months as engineer.

Q. What salary are you getting? A. I am getting about $130 per month and all travelling expenses.

Q. Are you performing your duty satisfactorily? A. Mr. Simpson says most satisfactorily.

Q. What is Mr. Simpson's name? A. G. A. Simpson, he is highly pleased.

Q. Who is the Mr. Mann you went out with first? A. He is a Canadian, comes from Ontario.

Q. What was his position? A. He was head of the party. He was the engineer, head of the party. I was doing instrumental work out in the field, second head.

Q. Who was Mr. Mayer? A. He was the head of the party.

Q. Was he an American? A. He was a German-American, a friend of Mr. Kyle's; they worked on the Northern Pacific. Mayer could hardly speak English.

Q. He could swear in English? A. Yes, that was his pastime.

Q. When you spoke to Mr. Kyle first what information did you give him as to your previous work? A. Showed him letters.

Q. Where did you come from? A. Australia.

Q. You came from Australia on purpose to work here? A. At that time Australia was in extreme depression on account of drouth and stoppage of public work. I saw by the papers that 3,000 miles of railway were to be constructed here so I came.

Q. What did Mr. Kyle say when you told him you came from Australia? A. He said if there was any opportunity he would give me some transit work to do. When I told him I had a wife and family to support he said we did not ask you to come.

Q. Now, what Americans were employed while you were without employment to your knowledge? A. To my personal knowledge I can only tell you of Mayer, my own personal knowledge.

Q. Mayer is the only one to your own personal knowledge? A. Yes.

Q. And how much salary did you get from Mr. Kyle? A. The usual $100 a month.

Q. $100 a month? A. Yes.

THE COMMISSIONER: Mr. Mowat, do you wish to ask any questions? A. None, Your Honour.

Q. Mr. Cameron, do you wish to ask any?

Mr. CAMERON: When did you come from Australia? A. 6th August, 1903.

Q. When did you see Mr. Kyle? A. About the 12th or 13th of same month—.

Q. When did you enter on your employment? A. In September last.

Q. When did you leave it? A. On the 11th November.

Q. The only excuse that Mr. Kyle made to you for leaving off work was his statement that you could not do the work? A. No, sir. Mr. Kyle did not say that, he said that Mr. Mayer said I could not do my work.

Q. That was the only ground that Mr. Kyle had? A. That was the only ground.

THE COMMISSIONER: That is all, Mr. Kerle.

Mr. HAROLD HARDING being sworn:

THE COMMISSIONER: What is your name in full, Mr. Harding? A. Harold Harding.

Q. Where do you live, Mr. Harding? A. In Winnipeg.

Q. How long have you been living in Winnipeg? A. About nine years.

Q. What is your occupation? A. Draughtsman.

Q. What experience have you had? A. About twelve years altogether.

Q. Where? A. In this country and in England in connection with architectural draughting and also railway draughting.

Mr. CAMERON: Did you apply to Mr. Kyle for employment? A. Yes, I applied. I think it was in July last.

THE COMMISSIONER: For what position? A. The position of draughtsman on the railway survey.

Q. What was the result of your applications? A. I was taken on almost immediately. I gave as reference Mr. Z. Malhiot, resident engineer in Winnipeg, for whom I worked satisfactorily, and others. I was taken on almost immediately and Mr. Kyle wrote me a letter of introduction to the engineer then near Calgary, at Red Deer. He was anxious I should go out at once. After some delay I arranged to go out on the following Thursday. I think, in justice to Mr. Kyle, it is there in the file of the Grand Trunk Pacific that I did not go out. I had domestic trouble at the time and in addition I had a promise of work with the Dominion Government, temporary work, in the very near future, and as a result, although I had promised to go out, I finally determined that I would not. I called once to let Mr. Kyle know about it, but he was out, and I obtained employment with the Dominion Government and I put in most of my time with them instead of going out on the survey.

Q. What was your agreement with reference to going out? A. None that I can recall.

Q. As to your remuneration? A. The remuneration which was offered me was $75 per month and the only stipulation was that I was to advance my own fare. I had worked with the C. P. R. construction department some years before that and I told Mr. Kyle that I thought it somewhat unreasonable, the more so as I found it inconvenient. I was informed finally that Mr. Kyle had no authority to make any exception in my case and that I shoud be obliged to pay my own fare, and I then asked whether the amount would be refunded to me afterwards.

Q. Who did you ask? A. Mr. Kyle himself.

Q. And he informed you that——? A. He informed me that he had no authority, I think that was the term he used—he had no authority to arrange any cases of refund. That the amount would be deducted from my salary. Now, Your Honour, the trip would probably cost a man $35,

which, together with the expense of an outfit, would aggregate about $75 or $80, a considerable sum for a man to get on short notice. I found it inconvenient to get up that sum and did not go out, although I might say that I had it on very good authority that a very large number of Americans were getting transportation.

Q. Who informed you that Americans went out there, their transportation being paid? A. I was informed by Mr. Geo. L. Griffiths while he was in the employ of the company.

Q. He was not in the employ of the company at the time and could not give you any binding information. Now you state that Mr. Kyle refused to give you transportation from Winnipeg to Red Deer? A. Officially he refused to give me any transportation; then again I wish to be perfectly fair, I believe that there were exceptional cases where those who were ready to go out and who lacked the means had transport advanced by Mr. Kyle.

Q. Your belief is not evidence, we want only evidence and you can only say as to what passed between you and Mr. Kyle and not between him and any other persons? A. The last remark that Mr. Kyle made to me was on the second Wednesday: "If you cannot make arrangements," or words to that effect," to find these funds come to me here on your way to the station and we will try to arrange matters." I understood that if the matter was so arranged the amount would have been refunded from my salary.

Mr. MOWAT: You never actually went to Mr. Kyle on your way to the station? A. No, I did not go.

Q. When was it that Mr. Griffith gave you the information you spoke about that some Americans had been supplied with transportation? Does the C. P. R. furnish transport in such cases?

Mr. CAMERON: This is not evidence, he is not a member of the C. P. R. and he cannot give evidence in that matter.

Mr. MOWAT; Do you know whether or not it is the rule for the Dominion Government to furnish transportation to those who go out on surveys for it? A. I cannot say that with absolute authority, but I have been employed by the Dominion Government and have sent in expense accounts. In Ottawa, I have reason to believe, transportation is invariably paid in advance.

Mr. CAMERON: And deducted afterwards? A. I am postive you are wrong.

Mr. GEORGE A. KYLE being sworn:

THE COMMISSIONER: What is your name in full? A. George Allan Kyle.

Q. What position do you occupy in connection with this railway company? A. I am division engineer.

Q. Division engineer at? A. Winnipeg.

Q. When were you employed as such? A. I arrived in Montreal, I think, the 3rd April, a year ago.

Q. Who employed you? A. Mr. Stephens.

Q. Where were you when he employed you? A. I was working in Tacoma, Washington.

Q. With what railway company were you then engaged? A. With the Northern Pacific.

Q. What was your engagement with them? A. I was division engineer on the western division.

Q. Under what agreement as to time? A. With that company?

Q. With that company. A. I had no contract at all.

Q. No contract at all? A. No, sir.

Q. Could you leave on a moment's notice? A. I had no agreement at all.

Q. No agreement at all? A. No.

Q. Was the contract by the month or by the year? A. I was paid by the month, once a month.

Q. What was your salary at the time? A. I do not think I am compelled to answer that.

Q. I think there is no reason for not answering it?

Mr. CAMERON: This is purely a personal matter and I cannot see how it bears on the enquiry.

THE COMMISSIONER: It was less than you get now? A. It was less.

Q. How was that? A. If you took expenses out it was probably $55 less.

Q. What was the actual amount you were getting there? A. I prefer not to answer that—I was getting $250 per month and expenses.

Q. What was the offer made to you here? A. I was offered $4,000 a year and expenses when I am out of the office, when in Winnipeg I have to pay my own expenses.

Q. How was that offer made to you? A. It was made by wire.

Q. Have you got that wire? A. I do not think I have.

Q. Have you searched for it? A. I may possibly have it.

Q. I wish you would search for it, I would like to have it. Do you remember the date? A. Well, perhaps about the 1st of March.

Q. About the 1st of March? A. I am not sure, near that.

Q. I have seen that wire, Mr. Kyle, that is why I ask. Now is this the answer you sent to him by wire (producing a telegram)? A. That is one of them.

Q. This is the answer to that first telegram? Can you say after seeing that what were the contents of the telegram you received from Mr. Stephens? A. Yes, I think I can tell you. He asked if I would accept the position of division engineer.

Q. You answered him on the—I do not know what date this is. Can you tell me, Mr. Kyle? March 5/6? A. That is the 6th March, I guess. March 5/6. It is probably a night message.

Q. You telegraphed him from Tacoma: "Will accept position offered if I can get western division and salary is commensurate with position. Letter to you Monday. G. A. Kyle"?

A. Yes.

Q. Now Mr. Stephens replied to that from Montreal, March 11th, 1903, addressing you care of Northern Pacific, Tacoma: "Can offer you four thousand per year, with two years. Answer when you can report here."

You remember getting that? A. Yes.

Q. Now, upon receipt you wired him the same day from Tacoma—that is your telegram? A. Yes, sir.

Q. That is the one you received? A. Yes.

Q. "Will report as soon as can arrange to have my position filled. Will let you know when soon as can. G. A. Kyle."

Then Mr. Stephens' reply to that was by telegram dated 12th March, 1903, Montreal: "All right. Can you get Van Arsdoll as assistant, one seventy-five and expenses?"

Q. That is Mr. Stephens' reply; who is the Mr. Van Arsdoll he refers to? A. He is division engineer at Edmonton.

Q. He wanted you to get him and arrange at $175. What was Van Arsdoll doing then? A. He was in charge of construction on the west end of the Northern Pacific.

Q. Same company as you were with? A. Yes.

Q. When you received that what did you do as far as Mr. Van Arsdoll is concerned, did you see him? A. Yes.

Q. After receiving this telegram? A. Yes.

Q. And laid before him the proposition? A. Yes.

Q. He refused to accept on what ground? A. Salary was not adequate.

Q. What was he getting at that time? A. I cannot tell.

Q. He did not tell you? A. I am not sure.

Q. He did not say I am getting as much? A. No.

Q. What is your recollection. He was getting $175 and because there was no increase he would not accept? A. That is my understanding.

Q. You answered that telegram on the 13th March by this telegram? A. Yes.

Q. It reads: "Darling says cannot relieve me until 25th inst. Will that answer? If not will endeavour to hurry matters." That was your reply? A. Yes, sir.

Q. You stated a moment ago you could have left at any time? A. Of course it is customary to give some notice. It is a matter of arrangement in some way.

Q. What do you mean by a matter of arrangement? A. I mean a matter of arrangment as between a superior and a subordinate officer, it is a matter of courtesy not of contract. It is merely customary to do that.

Q. Then you got a reply from Mr. Stephens on the 14th March saying: "All right, twenty-fifth will answer. What transportation will you require and where shall I send?"

Q. You remember that telegram? A. Yes.

Q. You answered that telegram from Tacoma: "Send transportation from St. Paul to Montreal via Chicago if possible. If not send from Chicago to Montreal. Send care W. L. Darling, St. Paul."

A. Yes, sir.

Q. The next communication is a letter from Mr. Stephens to you dated March 16, 1903: it says:

"Dear Sir,—I have requested transportation for you from St. Paul to Montreal, by way of Chicago, and will forward to St. Paul in care of Mr. Darling."

You received that letter, you have the original? A. I do not know whether I have the original.

Q. Well, try and find out? A. I will try.

Q. On the 20th March, 1903, he again writes you as promised:

"Dear Sir,—I hand you herewith Wisconsin Central Pass No. 557. from St. Paul to Chicago; also Grand Trunk Pass No. 1349, Chicago to Montreal."

Then on the 29th March you telegraphed him from Lester, Washington: "I start this a.m. for Montreal."

A. Yes, sir.

Q. Now what transportation had you in addition to these two passes? A. I had transportation from Tacoma to Montreal. I think these two covered it.

Q. What is the cost of transportation? A. Of course it is simply a pass, a pass of my own, it cost me nothing.

Q. All your transportation was paid by the Grand Trunk Pacific? A. Yes, actual fare.

Q. And you arrived here about the 30th or 31st March. A. I think it was on the 3rd April.

Q. How long had you known Mr. Stephens before this? A. I have known Mr. Stephens since 1890 or 1891.

Q. Were you both on the same road at that time? A. Yes.

Q. On what road? A. The Northern Pacific.

Q. What position had you? A. When I first met him?

Q. Yes. A. I was locating engineer.

Q. In charge of a party? A. Yes, sir.

Q. He had charge of construction on the Northern Pacific? A. Yes.

Q. How many miles? A. I do not remember now.

Q. About how many? A. Fifteen or twenty miles, I am speaking from memory. I don't remember.

Q. That acquaintance continued up to the present time? A. Yes, sir.

Q. Were you with him in any other undertaking? A. Well, I was under him on other branches of the line for a while.

Q. Of course in connection with the Northern Pacific. A. Yes.

Q. Is that road run by the State? A. No, by a private company, a line to Portland, Seattle, etc.

Q. When did you leave the Northern Pacific the first time? A. About 1893.

Q. You came to Canada then? A. No, I went to the El Paso and Southwestern.

Q. And how long there? A. Two years.

Q. You saw Mr. Stephens there? A. No, sir. About that time he was engaged in mining for a company in the Western States.

Q. When did you leave that line? A. In 1895.

Q. Where did you go from there? A. I went to South Africa.

Q. Had you employment to go to in South Africa, or did you go on speculation. A. I went on a telegram from Mr. Stephens.

Q. When did he go there? A. About a year before I did.

Q. And how long were you both there, that is after 1895? A. I was there three years.

Q. How long was he there? A. A little less than that.

Q. He came away before you did? A. Yes.

Q. Were there any of the persons now on the Grand Trunk Pacific there? A. Just one, I think, Mr. Mellen.

Q. Mr. Mellen in the Montreal office? A. That is the only one, I think.

Q. When you returned from South Africa where did you go? A. I went to Tacoma.

Q. When did Mr. Stephens return? A. Just before I did, 1897, I think.

Q. He returned to the Northern Pacific? A. I am not quite positive, I know he was down in South America, British Columbia, etc.

Q. You are both American citizens? A. I am, he speaks in the same way.

Q. With reference to Mr. Kerle, you have heard his evidence, what do you say as to his statements? A. Well, of course, what he says in part is all right. He came from Australia and showed me his letters. I gave him a position as transitman at $100 per month. He went out to work

for Mr. Mann and when Mr. Mann was relieved he changed from party No. 10 to No. 12.

Q. Mann is a Canadian, I understand? A. Yes.

Q. He changed from party No. 12, east of Winnipeg? A. He had charge of——.

Q. Then Mr. Kerle was left with another man? A. With Mr. Mayer.

Q. How do you spell Mr. Mayer's name? A. I think that is right, M-a-y-e-r.

Q. Then when was Mr. Mayer employed? A. Well, he was employed—I don't know that I can exactly say, we have a record of it. It was possibly about the 1st of May or the 15th May, 1903, roughly.

Q. Where was he employed? A. He was in Portland, Oregon.

Q. What was he doing? A. I think he was working for the city.

Q. How did you come to employ him? A. I did not employ him myself.

Q. Who employed him? A. Mr. Stephens.

Q. Do you know how that was done? A. I could not say.

Q. Have you any correspondence in your office? A. I do not think we have.

Q. He reported to you? A. He reported to me.

Q. When, on the 1st of May? A. Between the 1st and 15th May.

Q. I understand you have all these applications entered up in a book? A. Yes, sir.

Q. I would like to have the book, I suppose there will be no difficulty? A. I think there would not be.

Q. You prepared files when you received letters and entered your replies in a book? A. Well, I have only just commenced—I think we have them all.

Q. Have you a book in which applications addressed to the Winnipeg office have been entered? A. We have a book in which personal applications are entered.

Q. Personal applications only? A. Yes.

Q. Not letters? A. I think we have such a book.

Q. I would like to see that book? A. Very well.

Q. Then Mr. Mayer was sent to take Mr. Mann's place, was he an American? A. I cannot say as to that.

Q. You could not judge of him by his talk? A. You would not say that to hear him talk.

Q. He was a German at any rate? A. Just so.

Q. He took possession and how long did he remain here? A. To the 1st of March of this year.

Q. Is he still in the employ of the company? A. He is not.

Q. Has he returned to the States? A. Yes.

Q. Well, Mr. Kerle returned to the office here, reported as he says, and what took place then? A. Well, I told him that I did not know whether there would be any work or not but would let him know.

Q. He, of course, said he was out of money, hard up? A. He said so.

Q. He looked like that? A. I do not wish to make any personal remarks about Mr. Kerle.

Q. Notwithstanding the fact that he was hard up, you could not give him any work? A. I did not know there was any work to give him.

Q. When was it that he came back? A. I cannot say; I would like to have the book to find dates.

Q. We will refer to that afterwards. You were unable to give him any further employment? A. Yes.

Q. Then he got employment in connection with the Provincial Government? A. I did not know, it is the first I have heard of it.

Q. In the meantime Mr. Kerle states that while he was speaking to you you put him out of the office? A. I was going to say, speaking of Mr. Kerle, that when he came in there he wanted to know why I would not give him a job. I said that the reports of the assistant engineer were to the effect that he was not able to do the work, that he was physically unfit, being subject to fits.

Q. What kind of fits? A. I don't know. The report further said that he could not get in camp before night if he had any distance to walk.

Q. Have you got that report, Mr. Kyle? A. I have.

Q. I would like to see that report? A. Very well.

Q. Kindly search in your office and bring it before me. A. This afternoon?

Q. Yes.

Q. You told Mr. Kerle that the reports were received from Montreal? A. No, from the assistant engineer for whom he was working. I may say that when Mr. Kerle came to my office he was in an intoxicated condition. When he came in I told him he had better go out.

Q. Would you put him out in that condition? A. He fell down on the street before coming into the door and could scarcely get into the door.

Q. Does not that sometimes occur to surveyors when they are returning from work? A. Sometimes it does and sometimes it does not.

Q. Once a year? A. I think the C. P. R. have given instructions with regard to this.

Q. Once a year you would not blame a man when he is here and getting treated by friends to keep up his courage? A. Yes.

Q. He was in that condition and you got rid of him at that time. Since then you have had no communication with him? A. I told him to keep away from the office; that was not the only time.

Q. Mr. Harding; do you remember him? A. I remember Mr. Harding.

Q. He states that you refused to give him transportation. I believe he was going to Red Deer. A. Yes, sir, to Red Deer.

Q. How is that? A. I was merely acting according to our general rules, we do not pay expenses for any one from Winnipeg to the work.

Q. Do you carry out that rule? A. Yes. Although there may be one or two cases where we did not carry it out. In the cases of cooks, for example, cooks never had any money. Outside of cooks it was the positive rule. None of the Americans were ever transported free to here with the exception of Mayer.

Q. Were there any of the others who received transportation? A. Well, there were one or two cases, I remember.

Q. Who were they? A. I think Mr. Tilden is one.

Q. Where did he come from? A. From Florida.

Q. Was transportation paid out here? A. Yes.

Q. What was he? A. Assistant engineer.

Q. What party? A. No. 11.

Q. How long did he remain? A. He remained quite a while.

Q. Can't you tell about how long? A. About three months and a half.

Q. He returned south again? A. He returned south again, he was replaced by Mr. Darey. Mr. Tilden did not come back.

Q. What was the cost of Mr. Tilden's transportation here, do you remember? A. I suppose the same as mine, he had a pass.

Q. You did not arrange that? A. Well, in a way I did; I asked Mr. Stephens to arrange it.

Q. Who else besides Mr. Tilden? A. Well, personally I do not remember, I am speaking of what I know personally. I remember no one else.

Q. McNeill? A. Well, he may have had transportation of the same kind.

Q. Van Arsdoll? A. I don't know about that personally.

Q. Any other assistant engineer who received transportation? A. Mr. Colladay, I think.

Q. Where is he? A. In charge of No. 12.

Q. Did Colladay follow Mayer? A. Yes, he followed Mayer.

Q. Did not Mayer follow Mann and Colladay follow Mayer? A. Yes.

Q. You had four men? A. Yes.

Q. Mr. Mann was the first man? A. Yes.

Q. Where is Colladay now? A. At Henley.

Q. How many miles away? A. About 150.

Q. And Colladay is in charge now? A. Yes.

Q. Who employed Colladay? A. Mr. Stephens.

Q. When was he employed? A. I really don't know.

Q. Do you know Mr. Colladay? A. I know him since he came up here.

Q. Is he an American citizen? A. I cannot say. He probably is, as he came from down there.

Q. What became of Mr. Mayer? A. He resigned because the work was too hard for him to do out on the prairie.

Q. This German could not stand that? A. No.

Q. Now, do you remember Mr. Shaver applying for employment? A. I do not recall that to my mind.

Q. He was a leveller, I think? A. I know, there were so many applications, I cannot recall that one unless I see the list.

Q. Do you remember any of the circumstances connected with his application? A. Unfortunately, I cannot remember. If I could see my letters.

Q. I just wish to bring the circumstance to your attention. He stated that while he was waiting a reply you appointed Mr. Peter Talbot? A. Talbot?

Q. Yes, now do you remember the circumstances? A. I don't remember.

Q. Up at Saskatoon somewhere? A. Was he a transitman?

Q. I think he was a leveller. A. I cannot just recall that name.

Q. Well, you can look it up and see and we can continue that part later. A. He applied in a letter, would that be in Armstrong's or Van Arsdoll's division?

Q. Probably. A. Well, I understood they got their employees from here. I started these parties. I located them up to No. 16.

Q. You located them up to No. 16? A. Yes. From 1, 2, 3, Thunder Bay, to 7.

Q. Now, who has charge of your head office here? A. Mr. Allan, he is office engineer.

Q. Did you employ him? A. I did not hire Mr. Allan.

Q. Do you know where he was employed? A. I think he came from the Santa Fe Railway.

Q. That is where Mr. Stephens came from? A. Yes.

Q. Same railway? A. Yes.

Q. How much does Mr. Allan get a month? A. $200 and no expenses.

Q. What do you mean by no expenses? A. Just what that says.

Q. You mean he has to pay his own expenses? A. I might say as office engineer he only gets $200.

Q. There would be no expenses? A. No.

Q. He would get his expenses in case of relieving someone? A. Yes.

Q. Then you have Mr. D. E. Rutherford, where is he from? A. He is from St. John; I am not quite sure.

Q. Is he present here? A. He is in charge of the office.

Q. That was not Mr. Rutherford here just now? A. That is Mr. Eggo.

Q. Mr. Mason; he is present? A. Yes.

Q. Now, we have had a dispute about his initials? A. They are S. H.

Q. He is chief draughtsman? A. Yes.

Q. Where did he come from? A. Tacoma, Washington.

Q. Who employed him? A. I employed him.

Q. How did you do it? A. He came by letter.

Q. Have you got that letter? A. I do not believe they have been able to find that letter, it was a kind of personal letter.

Q. To Mr. Mason: Can you find it? Mr. Mason: A. No, I have not seen it since I posted it to Mr. Kyle.

Q. It was a letter received by you? A. Yes.

Q. The one received by him I would like to get also? A. I do not know anything about it. I may have a copy of the letter I received.

Q. See if you have it at your boarding house. Kindly look it up to-night and we will enquire of you to-morrow.

To Mr. KYLE: Q. What was he doing in Tacoma? A. He was draughtsman in connection with the Northern Pacific.

Q. What salary was he getting? A. I do not know.

Mr. MASON: I was not working for the Northern Pacific when I was employed. I was working for the Puget Sound Power Company.

Q. You had been working for the Northern Pacific before that? A. Not when Mr. Kyle states.

Q. What salary were you receiving from the Northern Pacific? A. $75 a month.

To Mr. KYLE: Then Mr. Kyle you wrote to him and he replied?

Mr. KYLE: A. That was a sort of a personal letter, I do not know that I have got it.

Q. What did you write to him? A. I told him that I could offer him $100 per month and no expenses.

Q. He replied and accepted? A. Yes.

Q. Did you give him transportation? A. Yes.

Q. Transportation from there to Winnipeg? A. Yes.

Q. And when did he come? A. I do not remember the date.

Mr. MASON: I came about the middle of October, 1903.

To Mr. KYLE: Had he been living in that district for many years? A. Yes. I knew his father.

Q. He was born there? A. Born in Tacoma.

Q. He was an American citizen at the time? A. Yes, sir.

Q. Then Mr. Eggo is assistant clerk? A. Yes.
Q. Where was he employed? A. In Winnipeg.
Q. Had he been living here before that time? A. Yes, for quite a while.
Q. Then there is Mr. S. Farran, he is present? A. Yes.
Q. When did you employ Mr. Farran? A. Just recently, the 10th May last.
Q. Where had he been living before you employed him? A. I really don't know; he came from England.
Mr. FARRAN: I came from England about six months ago. I have been in Toronto and down in Muskoka.
THE COMMISSIONER to Mr. Kyle: Who is Mr. Goddard? A. He is a Canadian; no, an Englishman, I think. He had left us a few days after Mr. Farran arrived.
Q. Where is Mr. Goddard? A. He is town engineer for St. Boniface; that is the reason he left.
Q. Miss P. H. Johnston? A. Miss Johnston has the honor to be the only lady on the Grand Trunk Pacific.
Q. Who employed Miss Johnston? A. I employed her.
Q. Where was she? A. Living in Winnipeg when employed.
Q. How long?
MISS JOHNSTON: I have been living here all my life.
THE COMMISSIONER: I will not ask you how long, that is quite sufficient.
To Mr. KYLE: J. A. H. O'Reilly, you employed him? A. Yes.
Q. He is a lad? A. Yes.
Q. He belongs in Winnipeg? A. Well, I really don't know where Mr. O'Reilly lives. I think near Miss Johnston.
To MISS JOHNSTON: Where do you live, Miss Johnston? A. At Selkirk.
To Mr. KYLE: You have a statement here of No. 1 Thunder Bay party. These you return as all Canadians. I suppose that is correct. That is Mr. Perry's party? A. I don't think there is much doubt about that.
Q. Now, as to No. 2 Thunder Bay party, Mr. Mitchell. Now, there are apparently two men of that party apparently Americans; C. E. Fairchild, transitman, who employed him? A. I employed Mr. Fairchild.
Q. When? A. I cannot just remember. He has been out there since the 1st January of this year.
Q. What is his salary? A. Well, he gets $100 per month; he got $75 when he went out; his position has been changed from topographer to transitman.
Q. Where did you employ him? A. In Winnipeg.
Q. Where did he come from? A. He came here without suggestion from me.
Q. How long ago? A. Two or three weeks.
Q. Was he on the Northern Pacific? A. Yes, he worked for me.
Q. You knew him there? A. Yes.
Q. Did you write him at all while he was over there? A. He made application and I told him we had nothing for him, but he came anyway.
Q. Have you got that letter? A. I have it on file.
Q. Have you your reply to him? A. I suppose it would be in the letter book.
Now, there is Mr. Mayo, topographer and rodman, when was he employed? A. About a month ago.
Q. Where? A. He lived in St. Paul when he was employed.

Q. How did you employ him? A. I wrote him a letter to come on.

Q. Did you tell him what the arrangements would be? A. I think so, I do not remember whether it was $40 or $50 per month.

Q. What was he employed at before? A. He was on the Northern Pacific.

Q. Are there many men left on the Northern Pacific? A. The best of us are up here.

Q. You don't know what he was employed at on the Northern Pacific? A. I think he was rodman there.

Q. What was his salary out there? A. I think it was $50 per month.

Q. You reduced it when he came over? A. I do not just remember whether it was $40 or $50.

Q. He is down as topographer or rodman? A. Then he gets only $40 per month.

Q. That is the only case where there was a reduction. Then on No. 3 Thunder Bay, No. 9. Who employed Mr. Heaman? A. I employed Mr. Heaman.

Q. Where did he make application? Have you got his application? A. I think we have.

Q. Where had he been employed before? A. I do not just remember. I know it is on some eastern road in Canada.

Q. Not on the other side? A. I do not know if he was on the other side.

Q. You think he is a Canadian? A. I think so.

Q. Now in his party there are two Americans—A. A. Meador; who employed him? A. Mr. Allan employed him.

Q. Where was he before coming here? A. He was with the Santa Fe.

Q. Now as to Parsons, leveller, who employed him? A. Mr. Allan.

Q. You stated that Mr. Allan came here from the Santa Fe? A. Mr. Allan brought these men up with him without my knowledge.

Q. I see, they came with Mr. Allan? A. I don't think Mr. Heaman knew anything about it.

Mr. STEPHENS: I knew nothing about it.

To Mr. KYLE: Then they have been employed ever since? A. Ever since they came with Mr. Allan. There was an Englishman also came up with Mr. Allan, but he has left.

Q. Well, then, they have been engaged since the 25th of June last year? A. That is about right.

Q. At what time did Mr. Allan arrive here, is that the time he arrived here? A. I don't know exactly.

Q. Then these are Americans? A. There is no doubt, I think, as to that.

Q. Then there is Mr. Perrin, chainman? A. I do not remember him.

Q. Are there any other Americans in that party? A. To the best of my knowledge, no. I sent the list to the assistant engineer to fill out.

Q. Have you the original return? A. Yes.

Q. With you here? A. Yes, with me (shows original return).

Q. Where and by whom was that made out? A. That was made out by Heaman.

Q. Heckman is on the C. P. R. now? A. Yes, he had charge of the transitmen for about a month.

Q. Is that Heaman's writing? A. Yes.

Q. He was born in Memphis, Tennessee, of British subjects; that makes him a British subject, unless his parents were naturalized over there before his birth. Well, now, we will take party No. 10. Mr. Darey is

entered as being a British subject, born in Canada and engaged at Winnipeg. Who engaged Mr. Darey? A. I engaged Mr. Darey.

Q. And did you engage also all the men in his party? A. I think I engaged his draughtsman, Moffatt.

Q. He was born in Canada, too? A. Yes, I believe so.

Q. His present transitman was born in Scotland. Morris the topographer, was born in England; do you know anything about this? A. I cannot say, except that statement.

Q. A. Ferguson, that is his leveller? A. Yes.

Q. Where was he born, he does not say? A. I think that is the name of someone taken on since the list came.

Q. No. 12 is Colladay's—Baxter, who employed Baxter? A. Mr. Baxter came on here on his own responsibility.

Q. From where? A. From Tacoma.

Q. Tacoma again, when did he come here? A. He came here about the 15th of last month. I think he came here on a telegram from Mr. Heckman without my knowledge.

Q. Mr. Heckman was assistant engineer? A. He was employed temporarily.

Q. You think Mr. Baxter produced a telegram from Heckman inviting him over? A. Yes.

Q. Where was he employed before? A. He was assistant engineer on the Northern Pacific.

Q. Do you know what his wages were? A. I think they were $75 or $80 per month.

Q. What are you giving him now? A. $100 as transitman.

Q. Who did he replace? A. He replaced Heckman.

Q. Heckman? A. Yes.

Q. Do you know Mr. N. W. Hicks? A. Yes.

Q. He was also an American? A. Yes.

Q. Who employed Hicks? A. I employed Hicks.

Q. Where did he come from? A. From Dakota.

Q. How did he come? A. He came here and made application, but went back.

Q. How do you mean went back, you wrote him when he went back, when was that? A. I don't remember.

Q. Where is he now? A. I think he is with the C. P. R.

Q. When did he leave you? A. Between the 1st and 15th of May.

Q. He is not in your employ? A. No.

Q. E. G. Smith, draughtsman, who employed him? A. I did.

Q. Where from? A. St. Paul. He made application by letter and I sent for him.

Q. What recommendation had he? A. I think from the Great Northern and the Northern Pacific.

Q. Is he an American citizen? A. I think he is.

Q. He is entered here as belonging to Montreal? A. I am not sure of that. He may be a Canadian.

Q. When did you employ him? A. March 1st, 1904.

Q. He is entered by the head office as an American citizen on March 1st, 1904; where would they get that information? A. They would get that from the pay roll.

Q. As to his nationality? A. I think I sent in a statement.

Q. So that I suppose he took out papers when he went over to the States? A. I cannot say personally.

Q. What road has he been on, the Northern Pacific? A. I think he has been on both the Great Northern and the Northern Pacific.

Q. Was he employed by them when he came here? A. He was doing nothing then.

Q. Now as to Mr. Street, do you remember him, a leveller, he is leveller for Mr. Colladay? A. I remember Mr. Street, but I do not know much about him.

Q. Where did you employ him? A. He was employed, I think, in Winnipeg.

Q. By you? A. Yes.

Q. Where did he come from? A. I don't really remember. I did not ask these people their nationality. There is something impressed on my mind but I do not exactly remember it now.

Q. Then there is Mr. Henderson? A. Mr. Henderson came over from Yakima, Washington.

Q. Was he engaged on the Northern Pacific then? A. At the time he was employed he was not. He was with the Northern Pacific before that.

Q. Who employed him? A. He came on a wire from Mr. Heckman.

Q. Heckman wired him to come? A. Yes, he came to Regina.

Q. Was his transportation provided for? A. It was not.

Q. Was Mr. Baxter's? A. No, sir.

Q. Was the transportation of any of these parties from Winnipeg to their location provided for? A. No, sir. As I told you, everyone paid their own fare, except the cook.

Q. Now, is there any other engineer employed by you? A. I think we have gone over them all.

Q. There is Mr. Jewett, is he employed, do you know him? A. No.

Q. Never heard about him? A. I don't remember.

Q. He was appointed, but on the commencement of this agitation, was postponed? A. I do not remember his name.

Q. Now, Mr. B. A. Palmer, do you know anything about him? A. I don't remember him at all.

Q. Will you make enquiry about these names? A. Yes.

Q. Do you remember Mr. Gerald Law? A. No, but he may have made an application.

Q. Do you remember about him? A. I don't remember anything about him.

Q. He states he came here. He is a railway engineer? A. I don't think I was in town when he came here.

Q. He will give evidence as to that. He had been engaged as district engineer in Canada at Regina in November last and then came here. He was capable of taking charge of a party at a salary of $175. He was offered a position as leveller? A. I do not remember that. It seems to me I could tell by looking up the reference.

Q. Who was in Miss Johnston's place before she was appointed? A. No one.

Q. She did not displace another girl? A. Oh well, we had a lady for two or three days; we did not have a regular employee.

Q. Now what relations of yours are on the staff? A. I have a brother out west.

Q. What position does he occupy? A. He is transitman.

Q. Which brother? A. Douglas.

Q. Well, you have another brother, C. M. Kyle? A. I have only one brother here.

Q. Was he in charge of a party at one time? A. One of my brothers has been in charge of party No. 11 for a few days.

Q. Has he any connection with a party now? A. No.

Q. Has no connection with the surveys? A. He is in Van Arsdoll's division.

Q. How did he come to be appointed? A. He made application and I sent for him.

Q. Where was he? A. In Tacoma.

Q. He was assistant engineer in charge of maintenance of way on the Northern Pacific? A. Yes.

Q. What salary? A. $75 per month.

Q. How much now? A. $100 now.

Q. When did you send for him? A. In March, I think, I do not know that I can remember the date.

Q. What party does he belong to? A. No. 11; he is not with them.

Q. What party is he with? A. I really don't know.

Mr. MOWAT: Does his name appear on this return? A. Yes, you have there the date of his appointment.

THE COMMISSIONER: Now, is there any other? A. There is Mr. Mellen.

Q. Is he in your division? A. No, he is in the Edmonton division.

Mr. MOWAT: Do these people supply their instruments? A. No, the company furnish the instruments.

Q. I see some men applied with their own instruments, would not that be an inducement? A. Not particularly, of course we had our own instruments.

Q. Do you know where the instruments were purchased? A. Why, I cannot say positively as to that.

Q. You did not do the purchasing? A. Not of that class of instruments.

Q. They are issued from Montreal, then? A. Yes.

Q. You are supplied by head office? A. Yes.

Q. So that the fact of a man having his own instruments would not assist his getting a position at all? A. No.

Mr. CAMERON: The alien labor law does not apply to instruments.

Mr. MOWAT: Then you discharged Mr. Mann? A. I could hardly call it discharging him. He was finished for the winter and I let him go.

Q. Did you use him in any other work? A. No.

Q. Did he request to be relieved? A. No, sir.

Mr. STEPHENS: Was he not sent east of Winnipeg? A. I transferred him from No. 12 to No. 10 and appointed Mayer in his place. The weather got so bad for Mr. Mann's work that it was impossible to do anything in that part of the country.

THE COMMISSIONER: Now, why did you transfer him from No. 12? To appoint Mayer in his place? A. Well, the actual reason was that I thought he was not performing the service as I thought he should.

Q. In what manner was he not performing the service? A. I don't wish——.

Q. Did he give some excuse for not doing his work? A. I don't know whether that matter came up very much, I simply transferred him.

Q. Was it a more difficult place? A. It was a different style of work.

Q. Do you think he was sufficiently active for this service? A. I transferred him as such.

Q. Mr. Mayer, his successor, who complained of the severe weather, what was his record? A. Two and a quarter miles for 175 miles.

Q. How much did Mr. Mann make? A. About one-half or three-quarters of a mile on the prairie.

Q. That was your objection to him? A. That was the only objection; that was a sufficient objection from an engineering standpoint.

Q. What is the record for surveyors to make—just as you mention? A. That all depends on the country and the circumstances, whether you are in the prairie or in the bush.

Q. Supposing in the bush? A. It depends how many men you had to run.

Q. Where was Mr. Mann? A. West.

Q. What do you think the record should be in the bush? A. Well, I should think he should show the same record as Mr. Mayer east of Winnipeg.

Q. Mr. Mayer was not east of Winnipeg at that time? A. He was previous to that time.

Q. What other engineers had bush? A. Mr. Ord and Mr. Allan.

Q. What was their record? A. They made one and three-quarter miles.

Q. And Mayer made? A. Two and a quarter miles.

Q. He must have been a slave-driver? A. He made the mileage.

Q. The others made one and three-quarters or even less than that? A. I think the average was about one and three-quarters.

Q. Ord is a good engineer, is he not? A. He has done good work so far on his work. I do not know how he will turn out on final work, but he is a very good man to date.

Q. And Perry? A. He is a good engineer.

Q. Mr. Mitchell, what is his record? A. Mr. Mitchell has done fairly well. He has a little to do still on some of his work, but he has been very accurate and satisfactory to date.

Q. You have nothing to complain of these men I have mentioned as to the manner in which they did the work? A. Nothing as far as I can see.

Q. That is all we can ask, their work shows they are capable men? A. Yes, sir.

Q. Now, have you had many applications for positions as assistant engineers? A. Well, broadly speaking, although we have not had a great many, we have had quite a number.

Q. What do you do with applications? A. I write them a letter telling them that we have placed their applications on file.

Q. What do you do as to their qualifications? A. When we hear from a man we generally ask him for his recommendations.

Q. Have you many applications for positions of assistant engineers in your office? A. There are quite a number there, I don't know how many, I will have them looked up.

Q. You will probably have as many American as Canadian applications? A. I don't know.

Q. Who employed Ord, Perry and Mitchell? A. Mr. Stephens.

Q. Whom did you employ? A. Mr. Darey and Heaman, I believe that is all.

Q. Someone else must have employed Mr. Kelliher?

Mr. STEPHENS: I employed Mr. Kelliher and Colladay.

THE COMMISSIONER to Mr. Kyle: That is the extent of your division that I have gone over? A. That's all.

Q. Are there any other parties in these divisions I have not mentioned? A. I don't know.

Q. Who employed Mr. Nutting? A. I employed him.

Q. When did you employ him? A. Sometime in the year 1903.

Q. What party did he take charge of? A. Party No. 6.

Q. How long did he remain with you? A. Until Mr. Knowlton took charge.

Q. He was in charge until Mr. Knowlton took charge? A. Yes.

Q. The next party in the east is No. 7? A. I employed No. 7. Mr. Mayer was there first until relieved by Mr. Pim.

Q. Did you employ the other men in party No. 6 besides the assistant engineer? Did you employ the transitman, the leveller, the topographers, and draughtsman? A. In the first start there was only a transitman, a man from some college.

Q. Do you remember his name? A. I don't.

To Miss Johnston: Do you remember, Miss Johnston? A. No, I do not.

To Mr. Kyle: This is the only one you had in party No. 6 when Mr. Knowlton took charge, after he came the party was increased by draughtsman, etc.? A. I do not think I could tell you.

Q. Mr. Landry is transitman of party No. 6? A. Yes.

Q. Where did you hire him? A. I don't remember.

Q. He was engaged on the 13th May, 1903? A. Possibly; Mr. Stephens would know.

Mr. Stephens: He probably came from the Montreal office. I think he was employed there. That was the only one in that party employed besides Mr. Nutting.

Q. Now where did Mr. Nutting go? Where is he now? Is he coming back? A. He is not coming back, he went to Buffalo.

To Mr. Kyle: Then No. 7; Mr. Pim was appointed there? A. Yes.

Q. Where was he when employed? A. In Winnipeg.

Q. Engaged in anything? A. I don't think he was.

Q. How long was he in Winnipeg? A. A matter of a week or so, I think.

Q. An Englishman? A. Yes.

Q. Engaged on 6th October, 1903? A. Yes.

Q. What has become of him? A. I think he has left the country.

Mr. Stephens: I saw Mr. Knowlton, he was waiting Mr. Pim's report, I think, he is on his way in. Mr. Knowlton has appointed another man in his place.

The Commissioner to Mr. Kyle: Well now, you appointed draughtsmen and levelmen to that party. J. Johnston, do you remember him? A. Yes, I remember something about him.

Q. Where did you employ him? A. He was employed in Winnipeg.

Q. Any application in writing? A. I don't just remember.

Q. On the 14th September, 1903? A. I sent out fourteen or fifteen parties to camp at once and I cannot remember each of them unless I could see the list.

Q. C. A. Forsburg, 16th September, 1903, do you remember anything about him? A. I don't remember anything about his nationality or where he came from.

Q. Now the western ones, up to No. 12, we have all the information? No. 13, Stuart is assistant engineer, September, 1903. Where was he when you employed him? A. I don't just remember. I think I wired him. I either wired or wrote him.

Q. Where was he? A. Out west of Winnipeg.

Q. In Canada? A. In Canada.

Q. Is he an American? A. Not that I know of, my impression is that he is an Englishman. No, he is a Scotchman.

Q. Did you appoint James Hislop of party No. 14? A. Yes, I think Hislop was in British Columbia.

Q. What occupation had he on any American lines? A. I don't just remember his qualifications. I know they were satisfactory at the time. I assumed he was a Canadian, not an American.

Q. You think he is not an American? A. Yes.

Q. R. A. Henderson, transitman, did you appoint him, 14th Sept., '03? A. No.

Q. When was Van Arsdoll appointed, do you remember? A. About August, I think, 1903.

Q. Did you appoint any after he came here belonging to his division? A. I don't think so.

Q. You think not? A. No.

Q. When did he take possession at Edmonton?

Mr. STEPHENS: I will look that up for you, I do not quite remember.

THE COMMISSIONER to Mr. Kyle: Silcox, levelman, Nov. 26, 1903, do you remember him? A. I do not remember.

Q. Do you remember J. R. Armstrong, 1st Sept., 1903, city engineer of Edmonton? A. He was relieved to take that place.

Q. The transitman there, Rossiter, Sept., 1903? A. I don't remember Rossiter.

Q. Put down here as an American. F. S. Rossiter? A. I do not remember him.

Q. Now the mountain section; W. E. Mann, assistant engineer, Canadian, you employed him? A. Yes.

Q. Succeeded by Going; employed on the 10th Sept., 1903? A. I really do not know anything about that party.

Q. J. F. McVicar, I believe he is a Canadian? A. Was transferred from No. 7.

Q. Is a Canadian? A. I think so.

Q. Now you had nothing to do with parties Nos. 17, 18 or 19. Douglas Kyle is transitman. That is your brother? A. Yes, my brother.

Mr. STEPHENS: These three parties were put on by Van Arsdoll. He has the record of them in his office and will give it to you.

Q. Now there was submitted to me a matter, you can do as you please about answering it, considering whether or not it is in your own interest to answer it? A. That is——

Q. That you and Mr. Stephens and Mr. Allan are speculating in real estate in Winnipeg?, A. I would not like to answer, but I can say we are not speculating.

Mr. STEPHENS: I can answer that for my own part, I have not one cent in such estate.

THE COMMISSIONER to Mr. Kyle: It is stated that there was a transaction between you and Miss Johnston by which you made $697, and it will be for you to say whether it would not be better for you to answer it by saying it is or it is not so? A. I know nothing about it.

Q. I thought it would be better to stop that talk. It was not my business. Now then I will let other matters stand until you get the information required.

Mr. MOWAT: Mr Kyle, the basis of these reports you have got in from the different engineers in charge of parties is a letter from you requesting this information? A. Yes.

Q. Will you please bring the letter which you sent to each of the assistant engineers and also the letter from Montreal instructing you in the matter? A. Yes.

Q. Now, Mr. Kyle, this is the best position you have ever had as far as money goes? A. No, as far as money goes.

Q. You have had higher pay, where? A. In South Africa.

Q. I do not mean to compare that with your present position, but to look at positions from the standpoint as between Canada and the United States of America, and what I ask is that so far as America goes this is the best position you have ever had? A. Yes. I think it is.

Q. I suppose that it carries with it a great deal of responsibility? A. There are great responsibilities with this position, but I do not think so far as dollars and cents are concerned that the position is the most remunerative.

Q. You mean to say that Winnipeg is a dearer place to live in than Tacoma? A. Yes, sir. Rents here are $65 per month as compared with $35 in Tacoma and living generally is very high here.

Q. As far, however, as salary goes, you have never received more? A. No.

Q. You are now in charge of more men than you had ever? A. No, I don't think so.

Q. You have how many parties? A. Seven parties.

Q. You never had seven parties under you on the Northern Pacific or another line? A. Yes, sir.

Q. How many had you on location work? A. On construction and location——

Q. On location work; I want to get the numbers on that. You are in charge of location work here and are responsible for that work? A. I had charge of thirteen parties here for a while. I never had that number before with any company.

Q. Some of these persons, I suppose, you hold responsible for their work? A. Yes.

Q. Some of these people, Mr. Allan, Mr. Mayer, Mr. Mitchell, some of those appointed, Colladay, Mr. Perry, Mr. Ord, appointed by Mr. Stephens, does that mean any difference between you and Mr. Stephens, did you object to them? A. No.

Q. Because you have confidence in Mr. Stephens, you did not often protest that it was your appointment and that you be allowed to make them? A. Not at all.

Q. You have known Mr. Stephens since 1889 on railway work and he thought so much of you he cabled you to go to South Africa? A. Yes.

Q. What kind of work were you engaged on in South Africa? A. Mining.

Q. Chiefly mining? A. Chiefly mining; we had about six or eight miles of railway.

Q. It was all in connection with mining? A. Yes.

Q. Did you make a pretty good thing out of that yourself, were you partners in any mine? A. Just on salary.

Q. Mr. Stephens the same? A. I cannot say for Mr. Stephens, I just speak for myself. I do not know about him.

Q. Any money invested by either of you? A. I had none to invest.

Q. Did you come away a little worse off than when you went? A. I did not say that.

Q. Then your work in South Africa was entirely confined to mining work? A. It was part of my work during the last year on deep level mining.

Q. You were four years there? A. Three.

Q. Most of the time was in mining? A. Yes.

Q. You never lived in Canada before you came this time? A. Yes. I had charge of fifty miles of road up here at one time.

Q. Where? A. At Sault Ste. Marie, Belmont extension.

Q. How long? A. Five months.

Q. When? A. In 1898 and 1899, left in 1899.

Q. What was the reason of your leaving South Africa? A. Certain of us had fever, besides there was trouble in connection with the Jamieson raid.

Q. You found South Africa a little too hot? A. I did not say that. My health got very poor. I caught fever down there, I think it was malarial fever.

Q. That is what induced you to come back to America? A. Yes, and war going on.

Q. Did you come back to a job or have to wait for one? A. I did not come back to any position, I was only a week without a position.

Q. With regard to S. Mayo, did you write to him to St. Paul? A. He made application to me and I sent for him by letter.

Q. You have that letter here? A. Yes.

Mr. KERLE: I would like to ask Mr. Kyle a question. I just want to know if Mr. Mayer or Mann made a complaint about my sobriety on duty?

Mr. KYLE: I don't remember that they did.

Q. They never did to the best of your memory, they never made any complaint? A. No, I don't think they did.

Q. To the best of your recollection? A. Yes.

Q. How many times did I call at your office? A. You called several times.

Q. A good many times? A. Yes.

Q. Did you ever see me in the same condition? A. I believe I did. Do you remember the day you fell down?

Q. That was the reason you gave me no work? A. I do not say that, they told me you were not physically able to do the work. I will read the letter I received in that behalf:

"Touchwood Hills, Nov. 30th, 1903.

"G. A. Kyle, Esq., Division Engineer, Winnipeg, Man.,

"Dear Sir,—I forward to-day my accounts up to Oct. 31st. Please send me a transitman and have him report at the H. B. Co., Touchwood Hills, where he could get instructions how to follow us. My transitman is physically unable for this work. He is unable to travel more than one mile in one hour in the woods. I have sent him home as early as 2 o'clock to make camp before dark, a distance of five miles, cut out through woods, still he got lost, never showed up that night and I had to hunt him next day with the whole party. Have found him towards evening half demented and completely worn out. I have to run transit myself. Two days is all he worked since I took charge, in fact I do not want him on the line. He is too slow and a nuisance. I have to keep him until his September check arrives, which I hope will be next Saturday. He has no money to go to Winnipeg, neither have I. Yours truly,

"WM. MAYER, Asst. Engr."

THE COMMISSIONER to Mr. Kyle: That is the report on which you based your refusal to give Mr. Kerle any further employment? A. Yes, sir.

Mr. KERLE to Mr. Kyle: How many miles did you state as good work on the prairie? A. Oh, five or ten miles without brush.

Q. Five or ten miles? A. Yes.

Q. Ten miles in one day? A. Yes.

Q. Do you know how many miles I did on the last two days I was there? A. I don't know.

Q. It would perhaps surprise you to know it was nearly eleven miles, the books would show.

THE COMMISSIONER: Now, Mr. Kerle, you have heard what Mr. Kyle has said with reference to the reasons for not employing you, what do you wish to say? A. I would say, as I said before, that I had an accident on that particular night. I took the wrong road and unfortunately lost my way. Otherwise I am physically able as ever I was in every way and I am prepared to show by the books that I did nearly eleven miles in the last two days of my work. That is considered very good work, five or ten miles in a day, and on Saturday four or five hours' work. I ran one mile an hour.

THE COMMISSIONER: As to saying you were the worse of liquor? A. I must say that I was very much put out through no work and I may have had a drink or two.

Mr. MASON being sworn:

THE COMMISSIONER: Q. What is your name in full? A. Sherman Hurd Mason.

Q. What is your occupation? A. I am chief draughtsman in Mr. Kyle's office.

Q. When were you employed as such? A. About the 15th October last.

Q. How did you come to be employed? A. I had a personal letter from Mr. Goodman, who was then chief draughtsman, but was expecting to leave the office, intimating to me that if I made application to Mr. Kyle the position would be open to me.

Q. And you made application to Mr. Kyle? A. Yes.

Q. What were you doing at that time? A. I was draughtsman for the Puget Sound Power Company.

Q. What was your salary then? A. $100 a month and expenses.

Q. What engagement had you with them? A. Well, they were doing work there and employing engineers for several months past and had work for engineers, draughtsmen and other lines.

Q. Were you employed by the month there? A. By the month.

Q. At $100 per month? A. $100.

Q. How long had you worked before the letter from Mr. Goodman? A. Six months.

Q. You could leave on a month's notice? A. Yes.

Q. Did you give them a month's notice? A. I gave them about ten days.

Q. They relieved you from duty? A. Yes.

Q. What was the salary here? A. $100 per month.

Q. So that there is no difference? A. I do not get any expenses here.

Q. Did you board yourself over in Tacoma? A. I was boarded by the company.

Q. Then you are getting less? A. Yes.

Q. What did you receive before working for the Puget Sound Power Company, for the Northern Pacific? A. $75 a month.

Q. That was six months beforo this? A. Yes.

Q. Why did you leave the Puget Sound Company? A. I regarded the chances of promotion to be better here.

Q. I understand that you were born in the States? A. Yes, sir.

Q. Your parents were born there? A. Yes.

Q. You are an American citizen? A. Yes.

Mr. CAMERON: The Puget Sound Power Company is a very small organization, comparatively speaking? A. Yes, sir.

Winnipeg, Man., 7th June, 1904; the Court House, 10 a.m.

The Commission resumes:

Present, HIS HONOUR JUDGE WINCHESTER, Commissioner.
" H. M. MOWAT, ESQ, K.C., Counsel for Dominion Government
" HON. J. D. CAMERON, K.C., Counsel representing Grand Trunk Pacific.

Mr. F. T. BAGSHAW being sworn:

THE COMMISSIONER: What is your name in full? A. Frederick Theodore Bagshaw.

Q. What is your occupation? A. Civil engineer and surveyor.

Q. Are you a member of any society of civil engineers? A. Yes, sir, I can show you my papers. (Shows papers.)

Q. What society are you a member of? A. The civil engineers of England.

Q. So you have been a member of the Institute of Civil Engineers of England since 1886? A. 1886.

Q. After having passed five years pupilage? A. Yes.

Q. With whom? A. William Stroudley.

Q. Any other institutions you are connected with in Canada?. A. Connected with the Dominion Institution of Amalagamated Engineers of Canada.

Q. Amalgamated engineering? A. Yes, also a member of the Institution of Engineers in New South Wales.

Q. Have you written a pamphlet on engineering? A. On certain engineering works.

Q. What practice have you had as civil engineer? A. I was three and a half years in the district engineer's office of the New South Wales Government as assistant engineer and draughtsman.

Q. How long have you been in this country? A. Seven years.

Q. Where? A. I have been at Rat Portage, Winnipeg, Vancouver and latterly have been in Winnipeg for about three years surveying.

Q. What experience have you had in Canada? A. I have been surveying and measuring on public works, also under the Province, bridges, heating contracts for Rat Portage.

Q. Any location work? A. I did not do any location work.

Q. Have you been on railways? A. I have been employed on the C. P. R. for one month as draughtsman three years ago.

Q. Is that your only experience as a draughtsman? A. Yes, on a railway in Canada.

Q. In the old country? A. I have had seven years' experience in the old country at one time. I went to Australia and returned home, then I came to Canada. I was employed by one of the railway contractors in London, England, chiefly in the laying of rails, construction of concrete retaining walls, bridges, etc.

Q. I understand that you applied to Mr. Kyle for a position on the Grand Trunk Pacific? A. Yes, sir.

Q. When? A. That was when Mr. Kyle first came to the city.

Q. For some kind of work? A. Yes.

Q. Written application? A. No, I was introduced to him personally by Mr. Alexander Irwin.

Q. What was the result of that application? A. Mr. Kyle said there was nothing particular doing. They were not making up any regular parties at that time.

Q. Did he take your name and address? A. He said so; he promised me he would.

Q. Did you apply subsequently to him? A. Not officially. I met Mr. Kyle several times and spoke to him on the street and at other places.

Q. With reference to a position? A. Well, I really did not mention a position because he knew I was looking for one.

Q. Did he enquire as to your references? A. Not to myself, and he probably did not.

Q. Not from you? A. No.

Q. Did you inform him of your qualifications? A. No, I did not.

Q. Did you tell him what you told us this morning? A. No, sir.

Q. Are you employed now as engineer? A. I am employed as assistant engineer under Mr. Vaughan.

Q. Where? A. In the country.

Q. What salary do you get now? A. Five dollars a day.

Q. That is for a short time? A. Yes.

Q. How much per month? A. Never had any employment by the month since I was here, except a month with the C.P.R.

Q. What did you get there? A. $90 per month.

Q. Are you a capable draughtsman as well as transitman? A. Well I would suppose so.

Q. You learned that? A. Oh yes.

Q. You learned that part of the profession? A. Yes.

Q. What position did you apply for to Mr. Kyle? A. I did not apply to Mr. Kyle for any particular position at all, only employment, as far as I recollect.

Q. But you were not offered anything at all? A. No, nothing at all.

Mr. Mowat: You seem to have been indisposed to describe your qualifications to Mr. Kyle, was that through a feeling of professional delicacy or pride? A. Probably pride.

Q. You thought he could have found out? A. Well I supposed so.

Q. You have been ready at all times to give this information? A. Yes.

Q. Do you know of any others who have applied and not been given employment? A. No, I don't recollect any one by name.

Mr. William Mann being sworn:—

The Commissioner: What is your name in full? A. William Mann.

Q. What is your occupation, Mr. Mann? A. Civil Engineer.

Q. How many years have you been so employed? A. Since 1869.

Q. What experience have you had since 1869? A. I was 7½ years on the Intercolonial Railway.

Q Location? A. Location, construction and everything.

Q. Since that what? A. Well I have been on different roads. I constructed the road in New Brunswick known as the Caraquet Railway for Mr. Burns, 67 miles.

Q. Well then, further on? A. After that I came to Ontario and worked on the extension of the Bay of Quinte road, the Kingston-Pembroke road, afterwards on another branch of the Sydney road.

Q. Then you were employed on the Grand Trunk Pacific? A. Yes, sir, I was on the Quebec Central.

Q. Then you have always been working on construction and location? A. Yes.

Q. How old are you now? A. I am 69.

Q. Now then when were you employed on the Grand Trunk Pacific? A. Last September I think it was, or the last part of August.

Q. Who employed you? A. Mr. Kyle.

Q. Where did he direct you to locate? A. Well I went out to Yorkton, Man., 20 miles west of that place.

Q. In charge of a party? A. Yes, sir.

Q. How many in the party? A. I think about ten, I engaged the teamsters.

Q What was the number of your party? A. I do not recollect, I think it was 12.

Q. Did anyone have charge of that party before you went there? A. No, I started the party.

Q. How long did you continue with it? A. About two months, I think.

Q What months? A. September and October, I think, probably until November, I am not quite certain.

Q. Then what became of you? A. There was a Mr. Mayer sent out to relieve me and I came here to report to Mr. Kyle.

Q. Why were you relieved of No. 12? A. I was told I was getting on too slow.

Q. How many miles a day were you doing? A. There were some days we did 4½ miles. It was a very rough country, some days not a mile. The first five miles we had to cut our way through brush and thick woods. Some weeks we had to cut our roads.

Q. How many men had you out? A. Ten all told.

Q. Was there any complaint made to you about your not being fast enough? A. I knew I was not pushing along fast enough, but I could not help it.

Q. Did Mr. Kyle complain to you? A. I think Mr. Kyle did write to me telling me to hurry up. In view of the difficulties I had to contend with I considered I was doing all I could. Any way I was a week at Yorkton before my supplies came up.

Q. A week there without doing anything? A. Yes.

Q. Whose fault? A. I think the C. P. R., the stuff, I think, was shipped all right from Winnipeg, but was delayed en route.

Q. You did not get them for about a week? A. I arrived there on Monday and got them on Saturday following.

Q. Well, how has this man Mayer succeeded? A. I don't know anything about him, I know he is a German.

Q. He was the man referred to yesterday in the evidence? A. I was not here. I just got through all the difficulties when Mr. Mayer relieved me. I got through Horse Lake.

Q. Mr. Kerle was your transit man? A. Yes.

Q. After you were relieved where were you placed? A. I was sent down to Lac du Bonnet, 65 miles east of Winnipeg.

Q. Had you charge of a party there? A. Yes.

Q. How many in the party? A. Myself and a cook and three young men and two half-breeds I hired down there as teamsters.

Q. How long were you there? A. I think I got in there on the 22nd or 23rd of December, somewhere there about.

Q. Then how did you come to leave there? A. Well, I could not get along. The ice was not sufficiently strong to get over, and in fact the weather became very bad. I could not get through and telegraphed Mr. Kyle that he had better call off the party.

Q. You were not satisfied with what you were doing? A. We had a very hard time and I knew I could not work in a satisfactory manner and so telegraphed to Mr. Kyle.

Q. He called you in? A. Yes.

Q. When? A. About the 22nd or 23rd December.

Q. What have you been doing since? A. I have been doing nothing.

Q. You are a Canadian? A. Born in Canada.

Q. Have you applied for a further position? A. Well, I merely went to see Mr. Kyle, and asked him if he had something. He said he had not.

Q. How long ago was that? A. About the 7th or 8th of May. I got here on the 7th, and next day went to see him.

Q. You are still without employment? A. Yes.

Mr. Mowat: It seems to me that I have read in a letter from Mr. Kyle to Mr. Stephens that you appeared to be strong and wiry, and in good physical health? A. No doubt I do.

Q. You appear to be in perfect health? A. I think I am healthy, although I am 69.

Mr. W. E. Mann being sworn:

The Commissioner: What is your occupation. Mr. Mann? A. Civil engineer.

Q. How long have you been acting as civil engineer? A. Some seven years.

Q. The last witness is your father? A. Yes.

Q. What experience have you had as civil engineer? A. Well, on railway surveys and construction.

Q. What railways? A. On the Canadian Northern and C. P. R. and a number of minor roads.

Q. You have been actively engaged during these years? A. Yes.

Q. You were employed as assistant engineer on the Grand Trunk Pacific? A. Yes.

Q. When were you employed? A. I worked for the company from about September, 1903.

Q. Who employed you? A. Mr. Kyle.

Q. Where? A. I reported to Winnipeg.

Q. What position did he wish you to take? A. Locating engineer in charge of one of the parties.

Q. Which party? A. Party 16.

Q. Where was that located? A. Started from Edmonton west.

Q. How many were there in the party? A. About seventeen men.

Q. Mr. McVicar was your transitman? A. Yes.

Q. You found him a capable man? A. Yes.

Q. A Canadian? A. I understand that he is a Canadian.

Q. Mr. J. E. Money was a draftsman? A. Yes.

Q. What is his nationality? A. He is a Scotchman.

Q. Then Mr. Pringle was your leveller. A. Yes.

Q. Is he a British subject? A. Yes.

Q. A good man? A. Proved a very fair man, but had to be broke into the work.

Q. You had to teach him? A. Yes.

Q. Mr. Black was your togographer? A. Yes.

Q. That composed your staff of principal men? A. Yes.

Q. You had many others? A. The party was composed of about 17 men, including six teamsters.

Q. So you had 11 chief men? A. Yes.

Q. Among these 11 were there any Americans? A. There were two or three who gave themselves as such.

Q. Who were they? A. There was a man by the name of Balcom.

Q. Who came to you as topographer? A. As what?

Q. Topographer, who sent him? A. He was sent from Mr. Van Arsdol's office.

Q. Did he remain with you? A. No.

Q. What other Americans? A. McNamee and McRae were Americans but settlers in the country.

Q. Any others, what was Benjamin? A. He gave himself as an American.

Q. Where from? A. I dont know.

Q. What was he? A. A rodman. There was a man named Ward a topographers assistant, he also gave himself as an American, a settler there.

Q. Who employed these men? A. I employed Ward, McNamee and McRae.

Q. Where? A. I sent for them and engaged them in the country.

Q. They were settlers? A. Yes.

Q. Who employed Benjamin? A. He was sent up by Van Arsdol.

Q. You were under Mr. Van Arsdol then? A. Yes.

Q. You were also under Mr. Jones? A. Yes Mr. Jones was assistant engineer.

Q. Do you know what nationality Mr. Arsdol is? A. Well I would call him an American.

Q. Do you know the nationality of Mr. Jones? A. Mr. Jones is an American also.

Q. How long have you been on the survey? A. I went up there at the end of September and remained out until the end of April.

Q. You are not now on the survey? A. No.

Q. You were called in? A. Yes.

Q. Did Mr. Van Arsdol call you in? A. Yes.

Q. What reason did he give for calling you in. A. He pretended that I did not select the best ground for the survey and also the progress was not sufficient to satisfy him.

Q. The progress not sufficient to satisfy him and you did not select the best ground? A. Yes.

Q. Were these complaints true? A. Not in my opinion.

Q. Was there any foundation for saying that you had not selected the best ground? A. I think not I simply followed my instructions.

Q. You received all your instructions from Mr. Kyle before Mr. Van Arsdol came in? A. Yes.

Q. And you were carrying out these instructions conscientiously and to the best of your ability? A. Yes.

Q. Did Van Arsdol claim you were not running the proper route? A. He thought there was a better route and I was responsible for not selecting it.

Q. What about not pushing on the work fast enough? A. Well, Van Arsdol did not understand the nature of the ground as he had not seen it. It was more difficult ground than he had made allowance for.

Q. So that you were pushing it along as fast as other work you had charge of? A. Yes.

Q. As fast as the ground would permit? A. As fast as the ground would permit.

Q. Do you know Mr. Callaghan who had charge of party No. 17? A. I met Mr. Callaghan several times.

Q. Do you know his nationality? A. I understand he is an American.

Q. How did he get along with the work? He was working next to you did he do any better than you? A. Mr. Callaghan did not do better work, until the supplies came he was not able to work.

Q. What time did he lose? A. I do not know what period, it was some time in February they passed over my ground.

Q. And what work have they done since then? A. I dont know.

Q. How were their supplies mismanaged? A .I do not know, the roads were very bad, that was no part of my business.

Q. Unless you knew—How long did they wait there doing nothing? A. I know that they came out to Edmonton in the early part of May.

Q. And had they been doing nothing from February to May? A. I do not know.

Q. Mr. Van Arsdol would know better than you? A. Yes.

Q. How do you know the supplies were mismanaged, as you say? A. I know the supplies did not reach them.

Q. There was some mismanagement somewhere? A. I dont know.

Q. If the supplies did not reach them they could not work? A. No.

Q. They went out in February and you say their supplies did not reach them until when? A. I do not know when.

Q. Had the supplies reached them when you came back? A. No.

Q. Now from February until May they had no supplies? A. They had sufficient supplies to live.

Q. They did not have sufficient supplies to carry on the work? A. Well probably the reason they did not get over more ground was that the teams were unable to reach them, the roads were so bad.

Q. Mr. Callaghan is still up there working? A. Mr. Callaghan went back again after coming out to Edmonton.

Q. You are not doing anything just now, Mr. Mann? A. Not at present.

Q. Have you got testimonials from those for whom you worked? A. Well I have a number, but I have not asked for them preferring personal references.

Q. You have a number of testimonials. Yes.

Q. Did you take out instruments from Winnipeg? A. The instruments for the party were sent out from there.

Q. What instruments? A. A Transit and level.

Q. Whose make were they? A. The transit was from Buff and Berger, New York, the level from their partners in Boston.

Mr. CAMERON: The objection made by Mr. Van Arsdol to you was that you did not select the best possible route and in consequence he believed you were not making sufficient progress. Nothing else alleged by him? A. No.

Q. These objections were perfectly legitimate objections? A. They were not founded on fact.

Q. That is possible, but they were perfectly legitimate objections. Did you know of any other objections? A. I heard no other reasons given.

The COMMISSIONER: Mr. Kyle took no objection to your work? A. No, quite the contrary.

Q. Was Mr. Kyle satisfied with your work? A. He expressed himself as being well satisfied. I was simply following his instructions.

Q. He agrees with you that you carried out his instructions? A. The route was not left to my selection, I was given a certain route to follow.

Mr. MOWAT: Just one more question. Is there anything you would like to say further with regard to your turning down or dismissal? A. Nothing more.

Q. Nothing more as to any motive? A. No.

Mr. S. H. MASON recalled:

The COMMISSIONER: Have you found the letter sent to you? A. No sir, I do not find the original letter I find a subsequent letter.

Q. A letter from Mr. Kyle, a second letter? A. The first letter was from Mr. Goodman.

Q. When was the first letter? A. In August I believe.

Q. In August, you believe? A. Yes.

Q. You received a letter from Mr. Kyle? A. I wrote to Mr. Kyle asking him to verify what Mr. Goodman had written.

Q. And he wrote to you offering the position? A. Yes.

Q. Putting in the amount of salary? A. Yes, Sir, $100 a month.

Q. What about promotion did he suggest that you might be promoted very soon? A. He suggested that as the position progressed there might be more salary.

Q. How much more? A. $25 a month.

Q. That was in his letter to you? A. Yes.

Q. Owing to that you gave up your position and came here? A. Yes.

Q. There was something about your transportation expenses which were to be paid, did they supply you with a remittance? A. No, Sir.

Q. Made you pay for everything? A. Yes, Sir.

Q. How old are you? A. 24.

Q. Are you a graduate of any engineering school in the United States? A. No, Sir.

Q. What has been your experience up to the present time? A. Four years experience as a draftsman and seven years as a rodman.

Q. You must have begun pretty young? A. I mean seven years work at engineering and four out of the seven at drafting.

Q. You began at 17? A. Yes.

Q. When you left school? A. Yes, Sir.

Q. And you went into the field? A. Into a field party.

Q. You had no technical education in engineering or mining schools? A. I was educated at the public high school.

Q. And not in any technical school? A. No, Sir.

Q. You just learnt what you picked up on the field and in the office? A. Yes, Sir.

Q. And this letter dated October 5th is the one upon which you came? A. Yes.

The COMMISSIONER reading:

GRAND TRUNK RAILWAY SYSTEM.

Engineering Department,

Winnipeg, Oct., 5, 1903.

S. H. Mason, Esq.,
915 North Tenth Street,
Tacoma, Wash.

Dear Sir,—

I have asked for transportation to be sent you at Tacoma, and expect you will be able to start from there about the 10th or 12th of the month.

Mr. Goodman will leave the office about the 15th of the month and I would like you to get here by that date if possible. I would like you to wire me when the transportation arrived and when you will start.

Hoping to see you soon, I remain,

Yours truly,
(Signed) G. A. Kyle,
Division engineer.

Q. On receipt of that you came? A. On receipt of transportation.

Q. You arrived here about the middle of October? A. Yes.

The COMMISSIONER: Thanks, that is all.

Miss B. A. JOHNSTON being sworn:—

The COMMISSIONER: What is your name in full? A. Birdie Allan Johnston.

Q. Where do you live, Miss Johnston? A. In Winnipeg.

Q. How long have you been living here? A. About 18 years.

Q. When were you employed in the Grand Trunk Pacific? A. On the 31st August.

Q. Last year? A. Last year.

Q. What is your position there? A. Stenographer.

Q. Who was it that you succeded? A. No one that I know of.

Q. No one employed in that position? A. As Mr. Kyle stated the other day there was a girl for a short time.

Q. They were picking the best one? A. Probably.

Q. Then you are the first stenographer? A. Yes.

Mr. KYLE re-examined:

The COMMISSIONER: I have not been able to go over the correspondence and cannot finish your evidence but we will go on as far as we can.

Q. I understood you to say that transportation was not given to any but the cooks. A. That is the general rule.

Q. That was what you informed Mr. Harding and all others who asked for transportation? A. Yes.

Q. The only sums you advanced were to unfortunate men who had nothing. A. I could not get the cooks without doing that.

Q. And you advanced to them for that reason? Yes, sir.

Q. Did you advance transportation to assistant engineers? A. No, Sir not that I remember. I dont think we did. We transfer men sometimes, we pay their fare when we transfer them from one place to another.

Q. Do you do that? A. Yes, Sir.

Q. You did that in McVicar's case? A. Yes, we transferred him.

Q. Transferred from where? A. From party No. 7 to party No. 16.

Q. Who had charge of party No. 7? A. Mr. Mayer.

Q. Why did you transfer Mr. McVicar from Mr. Mayer's party? A. The work was finished.

Q. And Mr. Mayer was transferred about the same time, both transferred at the same time? A. Practically the same time.

Q. Where was Mr. Mayer transferred to? A. To party No. 12, succeeded Mr. Mann.

Q. Why did not Mr. McVicar go with Mr. Mayer's party No. 12? A. Party 12 was all made up.

Q. And the only reason was, that the work was completed and that he was transferred, that you paid his transportation? A. Yes, sir. When he came out he said he would sooner go west and we transferred him.

Q. Now, did you pay the transportation of transitmen? A. No, sir, excepting those I mentioned in transferring.

Q. That is all? A. Yes.

Q. Nor levellers? A. No, sir.

Q. Topographers? A. No, sir, not that I remember.

Q. Draughtsmen? A. No, sir.

Q. Axemen? A. No, sir.

Q. Chainmen? A. No, sir.

Q. To none of these did you pay transportation in advance? A. In some cases where men did not have money I advanced money personally and took it out of their wages subsequently, it was not paid by the company.

Q. I understand, you advanced them personally and took it out of salaries. A. Yes.

Q You did not offer that to Mr. Harding? A. I spoke to Mr. Harding about that.

Q. Then you paid Mr. Mason's transportation from Tacoma to Winnipeg? A. No, sir, I did not pay anything.

Q. Well you supplied him with transportation? A. I supplied him with a pass.

Q. You obtained that from the different railways? A. I obtained it from the Montreal office.

Q. You heard what Mr. Mason stated about writing to you and you offering him $100 with chances of an increase in a short time, do you remember that? A. As I mentioned, I probably thought from the increasing work that the position would be worth more than that.

Q. Did he have to wait a year? A. No definite time was mentioned in which the increase might be made.

Q. What was Mr. Goodman? A. A draughtsman.

Q. Was he an engineer? A. Yes, sir, also an engineer.

Q. Had he ever done anything as engineer? A. Oh, yes.

Q. Where? A. On the Northern Pacific and other places.

Q. How old is he? A. I cannot exactly say.

Q. About? A. Oh, I should say about 24.

Q. Mr. Goodman is about 24? A. Yes.

Q. What pieces of work had he taken charge of on the Northern Pacific? A. One piece was doubling the track of the Northern Pacific between Tacoma and Seattle.

Q. Why did you not appoint him here as engineer? A. Mr. Goodman is a first-class draughtsman.

Q. Did you ever suggest that he should be appointed as engineer? A. I think it was mentioned once.

Q. Did you recommend that to Mr. Stephens? A. I do not think I did.

Q. What salary was he to get, the same as the other assistant engineers, $150 and expenses? A. Yes.

Q. Anything further about Mr. Goodman? He went down east and Mr. Stephens desired to have him in his office? A. Yes.

Q. At an increased salary? A. I do not know.

Q. Mr. D. D. Sprague. You appointed him lately? A. No, I did not appoint Mr. Sprague, not that I know of.

Q. I understood you had? A. No, sir.

Q. Do you know him? A. I don't know him.

Q. Know where he came from? A. No.

Q. Don't you remember Mr. McNeill recommending his appointment for some place? A. Yes, I remember something in connection with that.

Q. Mr. McNeill came from Montana and since he came here he recommended the appointment of Mr. Sprague? A. I think there is something about that.

Q. And it was on his recommendation that you appointed Mr. Sprague? A. Not on my recommendation.

Q. Not on your recommendation, but on Mr. McNeill's recommendation? A. I did not know Mr. McNeill recommended Mr. Sprague.

Q. Now your brother Douglas, how old is he? A. He is about 42 years old.

Q. Transitman, is he? A. Yes.

Q. What position had he on the survey? A. He is transitman.

Q. Did you provide transportation for him from where he lived? A. No, sir. He had a pass.

Q. You got a pass for him? A. He was provided with transportation.

Q. Did you appoint Mr. Callaghan? A. No, sir.

Q. Do you remember Mr. F. L. Davis writing to you for a position? A. Yes, sir.

Q. Who is he? A. He was an engineer on the Northern Pacific; he is city engineer at Tacoma.

Q. You were unable to give him a position? A. I had nothing that I could give him.

Q. What was the policy that Mr. Stephens told you of with reference to the employment of engineers, as to nationality? A. Mr. Stephens instructed me as far as possible to give the preference to Canadian engineers whenever I could obtain them.

Q. And you have been following that up all the time? A. Pretty near.

Q. What means were taken to obtain Canadian engineers? A. Well, we usually took our application list.

Q. And advertised that applications would be received? A. No, I never advertised.

Q. Did you apply to any of the Canadian engineer societies? A. No, sir, I merely took the applications which came into my office.

Q. Did you write to Mr. Stephens for applications that came into his office? A. On several occasions I did.

Q. How did that arise? A. Well, I did not seem to have on my list men to suit my division and I applied to Mr. Stephens.

Q. You know Mr. Woodman? A. Yes, I have met him.

Q. Is he a capable engineer? A. I really do not know much about Mr. Woodman. I understand he is working on the C. P. R.

Q. He applied for a position? A. Not to me.

Q. To Mr. Stephens? A. I cannot say.

Q. Mr. Bagshaw? A. Mr. Bagshaw's statements are correct.

Q. Could you not have given him some work? A. Well not at the time he applied. These parties were sent out all at once, as we had to make up the parties quickly.

Q. Mr. Bagshaw lived in the city, could you not have got him quickly? A. These parties were put in the field and had started.

Q. Many men have been put in there since he applied? A. Oh, yes, quite a few.

Q. Many of those employed have quit since that time; there must have been vacancies? A. Yes, sir.

Q. You have not employed him to fill these vacancies? A. No, sir.

Q. Why? A. Well, he did not make a formal application.

Q. I think he did? A. He merely came up and we had a talk.

Q. He asked you for employment? A. Yes. I did not consider Mr. Bagshaw capable of taking charge of a party.

Q. Capable of taking charge of a transit? A. I suppose so.

Q. You had three or four other names to pick from? A. Canadians?

Q. Partly Canadians, probably more Americans than Canadians, you can see by your application list? A. Three or four other names as engineers, transitmen or draughtsmen?

Q. I mean applications of all kinds? A. Axemen and others of that class?

Q. I am confining myself entirely to the professional department of the staff and as such we would include assistant engineers, transitmen, levellers, topographers and draughtsmen. I think these are all? A. Practically.

Q. An engineer is supposed to be able to do any part of the work that the staff can do, act as draughtsman, topographer, transitman or leveller? A. An engineer's work is especially in locating and he might not be good in construction.

Q. We are talking about location and an engineer; to be an engineer, should be able to use the transit and level, to take the topography of the land and also to act as draughtsman? A. Your Honour, most of these cases are specialties.

Q. But an engineer is capable of doing any of them? A. Not always.

Q. Have you done any of them? A. I have done all of them.

Q. Has no other engineer done one or other or all of them? A. I presume so.

Q. Most of these applications I should say contain a request for work? A. Yes.

Q. We will take the case of Mr. Bagshaw, you did not ask him what he was able to do? A. I asked Mr Bagshaw what was his experience.

Q. You heard him——? A. He said he did not ask for any position or employment.

Q. Could you not suggest any employment? A. At that time I did not have any employment.

Q. Subsequently, when vacancies occurred, you did not employ him? A. No.

Q. About how many Canadian or British subjects have you applications from? A. I cannot state that.

Q. About how many are there? A. I never counted them.

Q. About $100? A. I should say not so many, I do not think we have quite that number.

Q. About fifty from this division office? A. Yes, I think so.

Q. There were over 100 in Montreal? A. I do not know that.

Q. They were different from the ones here? A. Yes, sir.

Q. What means did you take to ascertain the qualifications of those who had applied? A. Well, when I decided, as I stated, that an assistant engineer or some other class was required, I asked the men for their references.

Q. Can you give me the names of any that you wrote for references to that you did not employ? A. No, I did not write for references unless I wanted to employ them.

Q. You have a large number you did not write for references to at all? A. Well, they usually gave their references when making application.

Q. Can you give me the names of those Canadians or British subjects whom you refused to employ on account of want of references? A. No, I don't remember.

Q. Can you give me the names of any you refused to employ because you considered them incompetent? A. Well, I don't think I could pick out any individual cases.

Q. Can you give me the names of any into whose references you really enquired? A. As I said, except a reference accompanied the letter I did not write to them except when I asked them to accept positions.

Q. How did you come to arrive at the point when you decided to appoint anyone? A. Usually requests for transitmen or such came up very quickly, and I tried to pick such men up locally, tried to find them in Winnipeg if possible.

Q. Did you go over all the applications? A. I tried to get men locally.

Q. As a matter of fact, were you not more desirous of appointing men that you knew personally than men about whom you had no knowledge? A. For the last months I have not.

Q. Only within the last few months. When was the change of policy on your part, for the last six months? A. No.

Q. When do you think you commenced? A. The last two or three months.

Q. When was the first time you appointed a man you did not know personally? A. I do not know whether I can answer that.

Q. Was it not your policy to appoint men you did know when you first came up here? A. That was my policy.

Q. When did you change your policy and appoint others with whom you were not acquainted? A. When work was started east of Winnipeg.

Q. When was that? A. About August, 1903, after we had started parties out west. There was nothing much doing before that.

Q. Can you tell me who were employed by you after this? A. Well, I started parties 10 to 14, inclusive.

Q. Can you give me the names of those you employed after that? A. I sent party No. 10 out within the past two or three months.

Q. Mr. Kelliher, did you not employ him? A. No, Mr. Stephens did.

Q. Mr. Green? A. No, sir.

Q. Who employed him? A. Mr. Kelliher.

Q. Mr. Fink? A. I did not employ him.

Q. Mr. Gill? A. No, sir.

Q. Did they apply to you for positions? A. No, sir.

Q. Now, about party No. 11; Mr. Mayer was transferred from party No. 7? A. Yes, this party is in charge of Mr. Darey.

Q. Who was in charge before Darey? A. Mr. Tilden.

Q. In September? A. Yes.

Q. He was an American? A. Yes.

Q. Where from? A. Texas.

Q. He is away now? A. Yes, he was succeeded by Mr. Darey.

Q. Who employed Mr. Darey? A. I employed him.

Q. When? A. About November last, I do not exactly remember the date.

Q. Did he employ his staff or you? A. Well, the party was practically made up under Mr. Tilden before Mr. Darey took charge of it.

Q. Then party No. 12, did you make that up? A. Yes, sir.

Q. When? A. About September.

Q. Who took charge of it? A. Mr. William Mann.

Q. In September? A. Yes.

Q. Whom did he succeed? A. He took the original party.

Q. Then who followed Mr. Mann? A. Mr. Mayer.

Q. Who followed Mr. Mayer? A. Mr. Heckman, he was temporarily in charge.

Q. Who appointed Mr. Heckman? A. He was transitman and we left him in charge.

Q. Who appointed him transitman? A. I appointed him.

Q. When? A. I do not just remember.

Q. Was Mr. Mann in charge? A. No; this was after Mr. Mayer was in charge, he filled the vacancy by Mr. Heckman.

Q. Was he an American? A. Yes.

Q. Who appointed Colladay? A. In so far as I know, Mr. Stephens.

Q. Party No. 13, did you appoint party No. 13? A. Yes, sir.

Q. That is Mr. Stuart's party? A. Yes, sir.

Q. When did you employ him? A. About September.

Q. Where is he now? A. Mr. Stuart is west of Winnipeg, around Moose Jaw or Calgary.

Q. Is he an American? A. I think he is a Canadian; that is my impression.

Q. Do you know whether he is or is not a Canadian? A. My impression is he is a Canadian.

Q. Have you got his application? A. Probably you have it in that list.

Q. I have not seen it. Then No. 14, Mr. Hislop, who employed him? A. I employed him.

Q. When? A. About the same date.

Q. Where did he come from? A. I think from British Columbia.

Q. Is he a Canadian? A. I understood he was at the time.

Q. You have not returned him as such? A. I think we have his application.

Q. Then Mr. Mann was employed by you, W. E. Mann? A. Yes, sir, and his party.

Q. Mr. Callaghan, who employed him? A. Mr. Van Arsdoll.

Q. He employed him, and I suppose his staff, you did not employ them? A. No.

Q. Nor Mr. Sprague? A. Mr. Van Arsdoll employed him.

Q. Although McNeill, you recollect, recommended him to you? A. I am sure I did not appoint him.

Q. Did you appoint Mr. Jones as district engineer? A. No, Mr. Stephens employed him.

Q. Stephens appoints district engineers? A. Yes.

Q. Who is Mr. Bolger? A. If I remember correctly he was with one of the parties that started out, I do not remember which one.

Q. You don't know where he came from? A. I cannot tell.

Q. He was possibly appointed by the Montreal people? A. Yes, that is my impression, but I am not sure.

Q. About what time did you employ McNeill? A. McNeill came about September, I think.

Q. Did you employ him? A. Well, I——.

Q. Did you know him before he came here? A. No, sir.

Q. Where did he come from? A. From the Great Northern Railway.

Q. Did he come from St. Paul? A. No, he came from Montana.

Q. You employed Mr. Griffith, too? A. Yes.

Q. Was he a Canadian or a British subject? A. I understood he was.

Q. What division or section did you send him to take charge of? A. What party?

Q. Yes. A. In the fall he had charge of a reconnaissance party.

Q. How long was he in charge of a party? A. Well, two months I think.

Q. What became of him then? A. The work was suspended out there for same reason as on Mr. Mann's line, he was on the same line as Mr. Mann.

Q. Which party? A. The same party.

Q. East or west of Mr. Mann? A. West of Mr. Mann.

Q. The work was suspended? A. Was suspended at same time.

Q. Was he not placed in charge of another party? A. No, sir, not at that time, there was nothing vacant.

Q. He applied for a position since then? A. No, I do not think he has.

Q. You say you do not know anything about Mr. Woodman's qualifications? A. I cannot really say.

Q. Do you often meet Mr. Woodman? A. No, sir.

Q. Did you find anyone with qualifications of that nature satisfactory? A. Yes.

Q. Who? A. Most of them.

Q. Was Mr. Griffith more in the wrong than any of the others engaged on the work? A. I don't know, not more than some of the others.

Q. And some of the others are still in charge? A. No.

Q. What had Griffith done that you found more fault with him? A. I did not find any particular fault with Mr. Griffith. I wrote him one or two letters just as I did the others.

Q. The others are still in the employment of the Grand Trunk Pacific? A. Some of them are and some of them are not.

Q. And there was nothing that took place that was so wrong that you discharged him? A. The reason that he was laid off was merely that the work was suspended at that time.

Q. Has that work been continued since? A. Not that particular work.

Q. Appointments have been made to other places since then? A. There have been several appointments.

Q. You have not appointed him? A. No, sir.

Q. Although several Americans have been appointed to other places since then? A. Yes, I think possibly one.

Q. More than one? A. I don't know.

Q. Who is the one you refer to? A. Mr. Kelliher, on division 10.

Q. In your division? A. Yes.

Q. And you think, Mr. Kyle, that only one has been appointed since Mr. Mann has been laid off? A. That is the best of my recollection.

Q. When were they laid off? A. I think it was in March sometime. I think Mr. Griffith was laid off the last of April, as near as I can recollect.

Q. Well, then, Colladay was appointed since then, he is an American? A. Yes.

Q. So you appointed Messrs. Kelliher and Colladay, before looking to see if these men——? A. Mr. Stephens appointed them.

Q. They are in your division? A. Yes. I wish to make a correction. I would like to correct the impression in my testimony. Yesterday you were asking me some direct questions in regard to Messrs. Mitchell and Perry as Canadian engineers. My answers were taken to apply to them generally. I stated as to the ability of Canadian engineers that as far as I knew their work was satisfactory on rough work, that was to apply to American engineers as well. I did not mean to insinuate that Canadian engineers were only fit for rough work. I have no preference between Canadian and American engineers. I want ability for the work and do not accept rough work.

THE COMMISSIONER: I find a letter from you to Mr Bagshaw dated 15th May, 1903, it reads:

"Winnipeg, May 15th, 1903.

"Mr. F. T. Bagshaw, 142 Princess St., City.

"Dear Sir,—Answering your note of the 12th inst. regarding position as transitman I beg to say that at present the parties I am sending out are all filled and I cannot offer you anything in the way of a transit. Later on, perhaps in two or three months, there will be openings for quite a number of men, and if anything turns up I will be glad to notify you.

"Yours truly,

"G. A. KYLE,
Division Engineer."

That would indicate that he applied for a position as transitman and you kindly offered him employment if anything should turn up in the near future? A. When was that dated?

Q. May 15th, 1903, over a year ago and you have forgotten that gentleman since? A. We had a number of others and I may have forgotten him. I look over the applications and pick out men, the only way I know how to get them.

Q. Others have been employed as transitmen? A. A large number of these men could come with the same complaint. We made the selection to the best of our ability for these positions.

Q. Do you know of any transitmen that you have employed since, those who have come from the other side? A. Yes, since May, 1903, we sent all these parties out west.

Q. You employed them? A. Yes. Of course our records show that we have more Canadians than Americans.

Q. When was that policy entered upon to employ Canadians? A. The first parties I started out I took men I personally knew and capable for the position; after that our policy has been to give the Canadians the preference.

Q. That commenced in September? A. After I started first.

Q. And when was that? A. In August or June a year ago.

Q. You know Mr. Hugh Allan of Idaho? A. Yes sir.

Q. What is he? A. His father is a Canadian, I think, he has been a long time in the States.

Q. What is he doing there? A. He is engineer on the Oregon line.

Q. He applied for a position? A. Yes, sir.

Q. As what? A. As transitman.

Q. On the 15th May you wrote to him:

"Winnipeg, Man., May 15th, 1903.

"Mr. Hugh Allan, Pocatello, Idaho,

"Dear Sir,—I have just received your letter of the 26th of April applying for a position on the Grand Trunk Railway. I am sorry to say that at present there is nothing I could offer you as all of the parties are filled. The policy of the company is to use Canadians and English wherever we can do so consistently, but think that later on we will have to import some American brains in order to carry the thing out successfully.

"As soon as anything comes up I will be glad to let you know. I should think it would be about three months before there will be any liability of needing any more men.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. You remember writing that letter? A. I remember now, yes, sir.

Q. And was your policy at that time, as early as May 15th, 1903, to employ Canadians? A. That was our policy.

Q. You did not enter into that policy until August or September? A. I mean we hired the men for these parties at different times and sent them out in May and June, and after that we did not send out any parties until September.

Q. That was written the same day as you wrote to Mr. Bagshaw? A. I did not remember the thing at all.

Q. Who is Mr. Tye? A. Mr. Tye is chief engineer of the C. P. R.

Q. And who is Mr. Sullivan? A. The division man in Winnipeg.

Q. On the C. P. R.? A. Yes.

Q. Are they Americans? A. I don't think Mr. Tye is.

Q. What do you think about Sullivan? A. I understand Mr. Tye is a Canadian, but do not know about Sullivan.

Q. Is he an American, do you think? A. Well, he was in the States, but there is no doubt about Tye.

Q. There is no doubt about Mr. Tye and Mr. Sullivan being Americans? A. I don't know.

Q. Now Mr. Stephens requested you to make enquiry about Mr. Woodman, his ability and qualifications as engineer, in July, 1903? A. Yes, sir.

Q. What was the result of the enquiry? A. I think there was a letter that was written that showed that.

Q. (Showing letter) This is the letter, do you remember? A. Yes.

Q. A letter from Winnipeg dated the 31st July, 1903, addressed to Mr. J. R. Stephens, Asst. Chief Engineer, Montreal. It reads:

"Dear Sir,—Answering your wire of the 27th inst. requesting me to look up John Woodman, civil engineer, Winnipeg, as to his ability and qualifications for division engineer.

"I had a personal conversation with Mr. Woodman and find that he now has an office in Winnipeg and is making architectural engineering a specialty. Mr. Woodman was formerly division engineer on the C. P. R., in charge of maintenance of way, located at Winnipeg. I inquired of Messrs. Tye and Sullivan as to his ability, and both of them seemed to agree that he was not a very desirable man. My only impression of him is that he would not be a satisfactory man as division engineer.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. When did you enquire of Mr. Tye and Mr. Sullivan as to Mr. Woodman? A. About the date I got the letter.

Q. Where did you see them, was Mr. Tye here at that time? A. Yes, sir.

Q. And that was what they informed you? A. Indirectly.

Q. What do you mean by indirectly, what did they say? A. Well, I was making enquiries as to his ability as division engineer.

Q. You were making enquiries as to his ability as division engineer, whether he would be qualified as division engineer? A. Yes.

Q. That was before Van Arsdoll was appointed? A. Yes, sir.

Q. Had you been appointing a division engineer at that time? A. Yes, sir.

Q. Mr. Knowlton? A. Yes, sir.

Q. And who is in a position to say where Mr. Van Arsdoll went? A. I did not know about location.

Q. But there was another division created subsequent to this one, since then and that was at Edmonton? A. Yes.

Q. It was therefore with reference to Woodman's ability and qualifications as division engineer that you inquired of Mr. Tye and Sullivan? A. Yes, and understood from them that he was not a desirable man.

Q. Not a desirable man? A. That was my understanding.

Q. Can you give me their statement? A. This is the substance of it in that letter, I cannot remember the exact words.

Q. And your impression was in consequence of what they told you? A. I got my impression from conversations I had with Mr. Tye and Mr. Sullivan, and that was part of my idea.

Q. What was the other part? A. I had a talk with some others, I do not know with whom, I think Mr. Griffith.

Q. And you think Mr. Griffith gave you to understand he would not be a desirable man? A. That was the impression I got from my conversation.

Q. These are the three men to whom you spoke about his qualifications and ability? A. Yes.

Q. You remember these three and there may be others? A. Yes.

Q. Do you remember anyone else? A. I do not remember anyone else.

Q. Did Mr. Griffith give you any explanation as to what he thought of Mr. Woodman's qualifications and ability? A. He was in some of the work for him.

Q. Where? A. On the C. P. R.

Q. Any others you recollect, Mr. Kyle? A. I do not remember any others.

Q. And that was the report you sent to Mr. Stephens with reference to Mr. Woodman? A. Yes, sir.

Q. What position does Mr. Woodman occupy here in Winnipeg? A. I understand he has a private office.

Q. Not employed by any company? A. I don't know Mr. Woodman personally.

Q. You gave me the facts as they occurred? A. Yes.

Q. How long after this was Van Arsdoll appointed division engineer? A. I do not know exactly when Van Arsdoll came, I think in August.

Q. August 10th, 1903? A. Yes, sir.

Q. Well, from that fact could you say whether that was the position that Mr. Woodman was being considered in connection with? A. No, I really cannot.

Q. That is the only division that has been formed since then? A. Yes.

Q. Your letter to Mr. Stephens was dated the 31st July, 1903, and Van Arsdoll was appointed about the 10th August, 1903? A. About that time.

Q. Were you acquainted with Mr. Goodman in the States? A. Yes, sir.

Q. Now, on the 4th September, 1903, you wrote to Mr. Stephens a letter in which you informed him of the names of the assistant engineers who have been allotted to the different division: "Will be as follows, which are liable to one or two changes:

"Party No. 10, in charge of Mr. H. M. Goodman, at $150.00 per month.
"Party No. 11, in charge of Mr. B. P. Tilden, at $175.00 per month.
"Party No. 12, in charge of Wm. Mann, at $150.00 per month.
"Party No. 13, in charge of Mr. C. W. Stuart, at $150.00 per month.
"Party No. 14, in charge of Mr. James Hyslop, at $150.00 per month.
"Party No. 15, in charge of Mr. J. Armstrong, at $150.00 per month.
"Party No. 16, in charge of Mr. W. E. Mann, at $150.00 per month."

Q. These were your recommendations at that time? A. Yes.

Q. How did you make the difference in the amount of salaries, Mr. Tilden got $175 and Armstrong and the others $150 per month? A. At that time we were trying to divide them up into two classes, first and second class, with a difference of $25 in the salary.

Q. Mr. Tilden was a first-class man? A. Supposed to be a first-class man.

Q. Mr. Armstrong is a second-class man? A. Yes.

Q. Can you tell me where Mr. Tilden is now? A. I do not know, he went to Dakota.

Q. However, Mr. Goodman was never actually appointed? A. No, sir.

Mr. W. E. Mann: I wish to ask Mr. Kyle a question.

To Mr. Kyle: Were you satisfied with my work and the quantity of work? A. I was satisfied.

Mr. Mann: Of course I had your letters to that effect. The road I followed was the road given to me by your instructions? A. As I understand, I think that is so.

Mr. John Woodman being sworn:

The Commissioner: What is your name in full? A. John Woodman.

Q. What is your position or occupation? A. I am practising as civil engineer and architectural engineer in this city.

Q. What is your experience as civil engineer? A. My first experience was in connection with the construction of the C. P. R., on the north shore of Lake Superior.

Q. How long ago? A. In 1884.

Q. How long were you at that? A. I was there until the construction of the line was completed.

Q. When? A. In 1895, and then I came up to this country and went on surveys of the Manitoba and Southwestern line and was engaged in the survey and construction of these lines. Since that I have been engaged on the maintenance of way, rather the bridge and building department of the C. P. R., and then on maintenance of way on the North Bay and Manitoba line. From there I went back to do some little work for the Government and went back to the C. P. R. and was finally appointed division engineer on the C. P. R.

Q. When? A. In 1897. This was then the western division, comprising about, I might say, half the mileage of the whole C. P. R. system.

Q. Where from? A. From Lake Superior to the summit of the Rockies, in fact from Fort William west.

Q. How many miles? A. I think it is close on 4,000.

Q. How long did you remain as division engineer? A. Until the division was split in two. The C. P. R. made two divisions, western and central, and it was at that time I stepped out and decided to go into practice for myself.

Q. What salary was given to you at that time? A. $2,700.

Q. And any expenses? A. Yes, all expenses besides that. That lasted from 1897 to 1903.

Q. Since then you have been in private practice- A. Yes, sir.

Q. Did you apply for a position on the Grand Trunk Pacific Railway? A. No, sir, I never applied for any position on the Grand Trunk Pacific.

Q. You did not? A. No, sir.

Q. How is it that your name was mentioned? A. I do not know how my name was mentioned to Mr. Stephens. I had some little correspondence with Mr. Sifton. I had no correspondence with the Grand Trunk Pacific or any of their engineers.

Q. Were you looking for a position at all? A. I was just starting for myself at the time and I was open to engagements if a satisfactory offer was made.

Q. Would $4,000 have been a satisfactory offer? A. I think I would have considered that it was at the time.

Q. And accepted it? A. Yes, although I do not regret it since. I am very well satisfied with the way things have turned out. Making the departure for myself at the time, such an offer would have been an inducement.

Q. Were you aware that your name had been considered? A. I never understood it had or had not been. I was a little suspicious when Mr. Kyle came to my office one day last summer as to his feeling about it, but he never intimated directly that my name was being considered nor that there was a vacancy as division engineer.

Q. What societies are you a member of or are you a member of any? A. I am a member of the Canadian Society of Engineers.

Q. How long have you been a member? A. Since 1896.

Q. How many members are there in that society? A. There is a large membership, all our best men belong to the Canadian Society.

Q. How many members do you think there are? A. I suppose there is a membership of about 500, more or less.

Q. That would be the proper channel through which to get information about engineers? A. Yes.

Q. Are applications made to that society for engineers? A. Yes, sir.

Q. How many capable men have you in that society who could take charge of locating parties? A. I cannot say, I know there are quite a number of men capable of taking charge of survey work.

Q. Do you know Mr. R. W. Leonard? A. He is a classmate of mine.

Q. A superior man? A. A very superior man.

Q. Would he be well qualified for the position of division engineer? A. More than that even for that of chief engineer.

Q. I am glad you mentioned that, because Mr. Stephens offered Mr. Leonard a position at $4,000 last year, but which Mr. Leonard would not accept.

Mr. STEPHENS: I have a memorandum from Mr. Leonard recommending this gentleman.

THE COMMISSIONER to Mr. Woodman: Well, you think him sufficiently qualified to fill Mr. Stephens' place if necessary? A. Yes, sir. He has undoubtedly had the experience.

Q. Are there many others you know that have qualifications to take the position of division engineer. I have a list of the applications in Montreal? A. There are some who have.

Q. John Armstrong, what do you know of him? I think he is city engineer at Edmonton? A. He is a good man, I have heard him highly spoken of.

Q. Do you know J. H. Armstrong, of St. Catharines? A. I don't know him.

Q. I will let you look over this list and see if you can tell me the names of men that are capable of taking charge of a division, an office, a district or a party, and this afternoon sometime we will go over it with you. These are names taken from the list of applications made to Mr. Stephens.

Adjourned until 2.30 p.m., on the 7th June, 1904, at the Court House.

The Commission resumes at 2.30 p.m.

Present, HIS HONOUR JUDGE WINCHESTER, Commissioner.
" H. M. MOWAT, ESQ., K.C., Counsel for Government.
" HON. J. D. CAMERON, K.C., Counsel for Grand Trunk Pacific.

Mr. WOODMAN re-examined:

THE COMMISSIONER: You have gone over the list of applicants that I handed you before adjournment? A. Yes, sir, I do not find a great many of them that I know personally, but I see here the two Messrs. Armstrong, H. W. D. and John, they are both capable men.

Q. I understand they have employed Mr. John Armstrong, he is shown as of party No. 15.

Mr. WOODMAN: C. M. Arnold I know personally, he has had charge of surveys and was Mr. Tye's assistant in Winnipeg. Mr. C. E. Cartwright is quite a capable man. E. H. Drury was chief engineer on the Canada Northern previous to McLeod and has been in Cuba for Van Horne. I am not sure whether he has come back or not.

Q. What is the date of the application from him? A. May, 1903.

Q. What position would he be capable of filling? A. He would be capable of filling the position of division engineer, or assistant chief engineer. The two Mr. Moberleys, Walter and Frank, are both well known; they are experienced as locating engineers. Then Cecil B. Smith is a man I know very well, he is one of our best engineers.

Q. What position would he be capable of filling? A. He is a man I only know from his record, I cannot speak personally about his capability at all, except in general work. He is one of the ablest men we have in Canada. I think that is all.

Q. Those are all you are acquainted with? A. Yes.

Q. Do you know Mr. Malhiot? A. Oh, yes, I know Mr. Malhiot very well.

Q. What position could he fill? A. He would be capable of filling the position of division engineer. He is in charge of Dominion Government work here.

Q. He is an able man? A. As far as I know.

Q. Do you know J. H. Kennedy of St. Catharines? A. No.

Q. Mr. T. E. Hillman of Hamilton? A. No.

Q. Mr. Caddy of Nova Scotia? A. He is an old man. Mr. Brebner is an elderly man. I don't know if he would care for any field work, he would be a very good office man.

Q. Do you know Mr. Beaudry of Montreal? A. No.

Q. Do you not recollect Mr. J. H. Armstrong of St. Catharines? A. No, I do not recall him.

Q. Do you know Mr. Bagshaw of this city? A. Yes, sir.

Q. What position could he fill? A. I think he would be a good leveller.

Q. He applied for the position of transitman? A. He might be qualified for both positions, I cannot speak as to both.

Q. You think he would be a good man as leveller, to your knowledge? A. Yes, sir.

Mr. CAMERON: I suppose, Mr. Woodman, engineers among themselves differ as to capabilities as in other professions? A. Yes.

Mr. G. W. WINCKLER being sworn:

THE COMMISSIONER:—What is your name in full? A. George Walter Winckler.

Q. What is your occupation? A. I am a Civil Engineer.

Q. How many years experience? A. I should say over 30.

Q. 30? A. Yes, my diploma from the Institute of Civil Engineers was sealed at Westminster December 1871.

Q. Before you obtained this diploma what services had you performed or what examinations had you passed? A. This certificate is given only after seven years of practical work as civil engineer.

Q. After passing examinations? A. Yes.

Q. What experience have you had since obtaining your certificate? A. I have been in charge of railway work as division engineer, but not in this country.

Q. Where? A. Mostly in the East Indies.

Q. Had you charge of locating parties? A. Yes.

Q. How many men at a time? A. I had four assistant engineers, three or four supervisors and others, a party of 30 or 40.

Q. How long were you engaged in such work as that? A. That depended on the Government of India, when they wanted work to be done they would make up a party with a division engineer at the head and when the survey was done would begin construction.

Q. When did you arrive in Canada? A. I came in 1893.

Q. At what port? A. Just here in Winnipeg.

Q. And what have you been engaged in since coming here? A. Well, I have not been successful in getting anything permanent. I have repeatedly applied to the C. P. R. and the C. N. R., but I got no permanent position, probably my age was against it, I do not know.

Q. How old are you? A. I am 58.

Q. You are not an old man? A. Quite so, but the younger men have the advantage. At all events I could not get anything worth my taking. I could get assistant engineer's places but they would not suit me at all with my experience and I expected something better than that.

Q. Did you apply for a position on the Grand Trunk Pacific. A. Yes., on the 24th September, personally.

Q. To whom? A. To Mr. Kyle. I called on him personally and gave him my record. He received me very courteously, said he was very glad to see me, promised me an appointment on the survey.

Q. Promised you an appointment on the survey? A. Yes, and promised with such sincerity that I daily expected an appointment because he asked me if I could be ready on short notice to go.

Q. What was short notice? A. Three or four days, but I never heard a word after that.

Q. The notice has not been given you yet? A. Not yet.

Q. Did he ask for your qualifications or any letters? A. No my card which I presented carried my qualifications.

Q. Have you a similar card with you? A. Yes (produces card).

Q. Well that only gave a certain statement that you were an associate of the Institute of Civil Engineers, but there are no recommendations or certificates therewith showing where you had been employed? A. No. Nothing was asked, I had other names but none were asked. That title, however, carries a great deal with it.

Q. No doubt it does in the old country? A. Mr. Kyle being an engineer himself knows fully of it.

Q. How often since then did you ask for employment? A. I did not ask any more.

Q. Not subsequently? A. No.

Q. What position did you ask for at the time? A. That was not discussed. He said he would let me know in two or three days and we did not discuss what appointment he could offer me. Of course I was not prepared to take a $75 position by any means, but one of $175—

Q. If one at that figure had been offered you would have accepted? A. With great pleasure.

Q. Or $150? A. Yes.

Q. That's what is paid engineers in charge of parties? A. Yes and expenses.

Q. You would perhaps have accepted a position as transitman? A. Well no, I should not accept that because I am not acquainted with transit work.

Q. What about levelling? A. My forte is levelling.

Q. You would have accepted as a leveller? A. Certainly.

Q. That is your forte? A. Yes.

Q. That position I think is worth about $75. What about a draftsman? A. I did not know that was the salary of a leveller.

Q. Some get more, one gets $80? A. As I said before I would not accept a position at $75.

Q. Being a better man than a leveller is? A. Yes.

Q. What about draftsman, are you qualified as draftsman? A. Not very good.

Q. Your experience has been as civil engineer in charge of a party or in charge of a division, location or construction, but as to your qualifications for the position you wanted that question was not discussed at all? A. Not at all, sir.

By Mr. Cameron:—Without being at all offensive Mr. Winckler, the fact that you did not secure an appointment with the Canada Northern and the C. P. R., would not necessarily be a recommendation for you to the Grand Trunk Pacific? A. If they knew of the transaction.

George A. Kyle, re-examined.

By Mr. Mowat: Mr. Kyle, this morning you said, and we were glad to hear it, that you yourself made no difference between Canadians and Americans? A. Yes, sir, I think that is about the way I feel in the matter.

Q. And you also stated that you received instructions from Mr. Stephens that you were to give preference to Canadians? A. Yes, sir, that was the understanding.

Q. Was this instruction in writing? A. It was just in conversation with Mr. Stephens; I do not remember any letters.

Q. Mr. Stephens just said it to you in conversation? A. We talked it over.

Q. When he said it he did not wink his eye, or — A. No sir, it was bona fide. The understanding was to have effect.

Q. When was that? A. Shortly after we came up here.

Q. Shortly after April last year? A. April or May. As I said there were one or two parties where I picked up one or two men I was acquainted with, generally younger men.

Q. And in your mind you did not mean to discriminate against Canadians? A. No sir, I never did.

Q. You would not have thought that justifiable? A. No, that is my honest opinion of the matter.

Q. And of course having that belief you would not have written any letters showing any desire to discriminate? A. Not that I remember.

Q. With regard to this Mr. Heckman you have spoken about, he was left in charge during the absence of Mr. Mann? A. Temporarily under Mr. Mann.

Q. What had his record been as a professional man, what experience had he? A. He has had five or six years experience.

Q. What is his age? A. About 23 or 24.

Q. He cannot have had very long experience? A. No.

Q. Was his work satisfactory or was there any reason for objecting to it? A. His work was very satisfactory, he was just temporarily there, just about six weeks or a short time longer.

Q. What employment had he afterwards? A. He was not employed.

Q. Did he leave the service after that? A. He left the service.

Q. Before that he was transitman? A. Yes.

Q. Why did you not retain him in the service? A. On account of the agitation which has been going on for the last 3 or 4 months.

Q. You thought he was a man you might let go on account of the agitation, what agitation do you men? A. Yes we let him go, the agitation has been talked about in all the papers.

Q. About the employment of Americans? A. Yes.

Q. And that having become somewhat acute you thought he might be a good man to let go? A. In fact it was never intended to keep him there. He was only temporary.

Q. But you did intend to keep him as transitman, was his work satisfactory? A. Yes, sir.

Q. No complaints? A. No complaints.

Q. Are you sure about that because I would like you to stretch your memory on that point? A. There is no complaint about his work as transitman, although he had been there for some months.

Q. What salary was he getting as transitman? A. $100 a month.

Q. Is he a relative of yours? A. He is a nephew.

Q. What position has he now? A. He is not in the Grand Trunk Pacific now.

Q. What position has he? A. He is on the C. P. R.

Q. Under Mr. Sullivan? A. Yes.

Q. Do you know what position he is filling? A. I think it is fence inspector.

Q. And what is his salary now? A. $100 per month.

Q. Do you know it? A. I do not; it is to the best of my knowledge.

Q. Yesterday, Mr. Kyle, the name of Mr. B. A. Palmer was mentioned and you did not seem to be able to recall him. Have you thought it over, do you recall anybody of that name? A. I cannot recall him. Some of these applications I did not answer myself.

Q. You can remember an engineer or surveyor named Palmer? A. I really do not recall him to my mind.

Q. Do you remember working on a line with Mr. Palmer, I am told there was a Mr. Palmer working on the Northern Pacific a few years ago? A. I remember a man of the name of Palmer, but he was not an engineer; I forget what position he had.

Q. What are his initials? A. I do not recollect that.

Q. Was he working with you or close to you? A. I cannot recollect where he was working.

Q. How long ago was that? A. I am not sure whether it was on the Northern Pacific or not. I just simply remember his name, possibly it was not on the Northern Pacific.

Q. Well on one of the western American lines? A. I cannot bring him to mind, possibly if I had something to go by—

Q. Was he not working on the next section to the one you were working on? A. Now there is a Palmer, when you come to speak of it, working on the Northern Pacific.

Q. Was he not a divisional engineer? A. I do not think he was when I was there.

Q. What position did he have? A. I think he was a locating engineer, that is what we called an assistant engineer.

Q. I suppose now then you think you can remember him? A. Yes, I can remember anything I have in my mind.

Q. Or a man working on a section adjacent to where you were working? A. I do not remember meeting him personally. I know him by reputation.

Q. A good reputation? A. As far as I know.

Q. Do you know a man named Girdleston in Winnipeg? A. Girdleston?

Q. Frank Girdleston? A. No.

Q. Do you remember him applying to you for work? A. I don't remember that he did.

Q. You do not remember appointing him to any position, or giving him work? A. No.

Q. As chainman or rodman or something else? You are not in a position to deny that he did apply to you for work? A. I cannot recollect.

Q. Then you remember that Harding who was here westerday was wanting a position and you offered him a position, having satisfied yourself that he would be a suitable man, but he could not pay his own expenses. That was in July. Then you appointed Mr. Mason in October as draftsman. Did you think of calling on Mr. Harding again with a view of offering him that position. Did you know that Mr. Harding was in town? A. Yes, sir, I knew that Mr. Harding was in town.

Q. And there is one thing I want to ask you, Mr. Kyle, where does your supply of instruments come from, and what was the method of distributing them to the different engineers? A. We obtain these instruments from the Montreal office.

Q. Do they all come in one consignment? A. There have been two or three consignments.

Q. Generally speaking who were these instruments supplied by? A. The transits were supplied, I think, by Kueffel and Esser and the levels by Buff and Berger.

Mr. CAMERON: How does this come within the scope of the Commission?

Mr. MOWAT: That will appear later on.

Mr. CAMERON: It cannot be a matter of much importance.

Mr. MOWAT: There is a question about engineers supplying their own instruments.

Q. Mr. Kyle, were there any who supplied their own instruments? A. No, sir.

Q. And you used to supply all instruments? A. Yes, sir.

Q. I want to know what these instruments were in detail? A. There were the transit and level, our most important instruments.

Q. We will try to include everything, what other instruments were there? A. The only other instruments were aneroid barometers, hand levels and we also had some clinometers.

Q. Nothing else? A. I think that covers all.

Q. These people were not supplied with astronomical instruments? A. No, the glasses were fitted for astronomical work.

Q. Nothing about finding the latitude and longitude? A. Yes, sir, transit work.

Q. With these appliances how did you get the latitude? A. There was no occasion to do so it was easy to locate ourselves according to the sectional Government survey taking as a basis previous topographical work on Government surveys.

Q. Well I suppose the system of dividing townships and lots is not the same in Manitoba and the North-West Territories as it is in the United States? A. No, sir.

Q. Then American engineers who were employed would have to learn the new system? A. There is not much to learn, only probably the way the sections were numbered.

Q. Thus the sections as I gather from a Canadian Northern map are numbered from south to north? A. No, sir.

Q. Are they not numbered from east to west and north, I want you to inform the Commission what is the difference between the Canadian system of numbers and the American? A. According to the Canadian system the numbers commence in the north-east corner and in the American system in the south-eastern.

Q. Is it not just the other way? A. Yes.

Q. Now we understand each other. It might happen that American engineers in following any particular lot according to the American plan might make a considerable mistake until checked? A. There is no chance to make any possible mistake because they locate themselves afterwards.

Q. Of course lot No. 1 American would be at the bottom and No. 1 Canadian just the other way, when the man came out how would you discover his error? A. I understand the system very well and would soon discover any error.

Q. You say you would soon discover if a mistake were made coming from a wrong lot number? A. I would say that all Government maps show all sections as they are numbered. Any engineer who would take that map would know.

By THE COMMISSIONER: Q. Then just one question, you stated you knew something about Mr. Frank L. Davis, what position has he? A. He is city engineer of Tacoma. There are two Davis', F. and L. Frank, L. think, is the one in Tacoma.

Q. You know both the Davis'? A. I know two Davis'.

Q. Pretty intimately? A. No.

Q. Know their work? A. I have seen the work of Mr. Frank L. Davis, so know him.

Q. Did you reply to his application knowing his qualifications and did you give him a position? A. No, sir.

Q. Do you remember your reason for declining his application? A. I do not think I had anything to offer him at the time. I do not remember how it came about. Of course, you may pull a letter on me that I do not remember. What I mean to say is that I do not remember the circumstances. I remember he made an application to me and my answering.

Q. I happened to get the letter which I wanted to show just how the facts were. The letter is dated the 8th October of last year and reads as follows:—

"Winnipeg, October 8th, 1903.

"Frank L. Davis, Esq.,
"818 North High Street,
"Tacoma, Wash.,

"Dear Sir,—I beg to acknowledge receipt of your favour of the 1st inst., I am sorry that there is nothing I can offer you at present, but later on there might be a vacancy where I could place you and will be glad to let you know if anything occurs. We are in the unpleasant situation where it is advisable to fill minor positions with natives and are therefore rather handicapped.

"Yours truly,
"G. A. KYLE,
"Division Engineer."

Q. You did not intend to pacify Mr. Davis, you intended to express the situation? A. I expressed the situation that is all.

Q. With reference to the witness, Mr. Winckler, whose evidence you have heard, did he apply to you personally on the 24th September? A. I remember him being in the office about that time.

Q. Do you recollect the conversation you had with him? A. I don't know that I do. I remember he came into the office, I think about that time.

Q. At that time, on the 24th September last, and for some time after that what positions or what vacancies had you to which Mr. Winckler could be appointed? A. What is the date.

Q. 24th September last. A. Well at that time the parties were all filled.

Q. All out in the field? A. Yes.

Q. There was no other party being formed? A. None except No. 10 sent out since.

Q. No. 10 when was that formed and despatched? A. About two months ago that was formed, there was no position as leveller in the party.

Q. So that beyond what you have stated in your evidence there was nothing you could have offered Mr. Winckler, anything you could have written him about? A. Only just a few days ago that I remember of.

Q. As to the evidence of Mr. W. E. Mann you have no hesitation in

saying that his work so far as it came under your supervision was satisfactory? A. Yes, sir.

Q. You had no fault to find with him? A. No, sir.

Q. Any objection that Van Arsdol took was something of which you personally knew nothing, something for which he was responsible, not you? A. Yes, sir.

Q. In reference to Mr. Harding's request for transportation, now in the case of your employing such men as have been spoken of in Tacoma, St. Paul, Chicago, or Montreal the officials of your company could apply to the necessary railways and get free transportation, could they not? A. Yes.

Q. Over any of the roads connecting with the points I have mentioned to this city? A. Yes, sir.

Q. It has come to your own knowledge that men who have come from Montreal have received transportation, which is looked upon as a matter of courtesy, at the request of the officials of this company? A. Yes, sir.

Q. And of course would grant the same if asked by similar officials of connecting roads? A. That is customary.

Q. And has been during the whole time there have been railways? A. Yes.

Q. Dealing with the C. P. R., it has not been the custom for them to extend the same courtesy? A. No, we could not get transportation.

Q. So that in these cases transportation would be actually advanced either by the company or by the individual, as the case might be? A. Yes.

Q. Can you give me an estimate of the number of men, exclusive of cooks, who have had transportation provided? A. Well, one cook for each party and possibly 15 or 20, a rough guess.

Q. And you have considered as a standard rule that such men occupying these positions could get transportation? A. Yes.

Q. These cooks are invariably without money? A. Yes.

Q. And it is a matter of necessity— A. Well, we could not get them to start without it.

Q. But beyond that it has not been the rule of your company to depart from the regulation that a man shall pay his own fare to the point where he is employed? A. Yes, that is my understanding.

Q. Of course I can quite understand that in the case of the C. P. R., or any extension of its own line it is usual to grant transportation to prospective employees? A. Yes, they usually do.

Q. That has been your own experience and I have no doubt the experience here? A. Yes.

Q. There was therefore no special or peculiar hardship in Mr. Harding being called upon to pay his own transportation to the point where he was to work for the Grand Trunk Pacific? A. He was treated precisely as anybody else.

Q. I do not know whether you are aware from your experience of the practice of the Dominion Government in respect to its employees in surveys? A. I do not happen to know their rule.

Q. You might just give me your account of your relations with Mr. Mann who has given evidence? A. Well the statement made by Mr. Mann was perfectly correct, I think, if I remember right.

Q. He was transferred from east to west of Winnipeg and when the weather became very bad and the party was disbanded? A. He reported to Winnipeg and was relieved.

Q. As to the grounds on which you dismissed employees or gave subsequent employment, I mean so far as nationality is concerned, you stated

in your letter to Mr. Stephens of a year ago that there was to be no distinction and preference was to be given to Canadians? A. That is the understanding between Mr. Stephens and myself.

By Mr. MOWAT: With regard to the question of transportation, do you remember paying Mr. Mayer's transportation or giving him a pass when he left you? A. I thing Mr. Mayer received transportation from the American lines.

By THE COMMISSIONER: This morning you stated that Mr. McVicar was transferred from Mr. Mayer's party to party No. 16 because Mr. Mayer's party had concluded their work? A. They concluded their survey.

Q. I have a letter from you to Mr. McVicar dated September 8th, 1903, it reads:

"Winnipeg, Sept. 8th, 1903.

"J. D. McVicar, Esq.,
"Box 327,
"Rat Portage, Ont.

"Dear Sir,—I beg to acknowledge receipt of yours of the 6th inst., and am very sorry that there was any friction between Mr. Mayer and yourself, but think I can arrange to send you out west as transitman with a party. You can report to Mr. W. E. Mann at Edmonton on the 14th of this month. You will have to pay your fare to Edmonton, after which all expenses will be paid. Please answer at once whether or not you will accept this position.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. Does that bring back your recollection? A. Yes, sir, that was in connection with other business, he asked to be sent out west.

Q. He left Mr. Mayer because of friction? A. He did not like to go back to work with Mr. Mayer and wished to be transferred.

Q. Who did you put in his place with Mr. Mayer? A. I do not remember just now.

Q. Cannot you remember? A. I do not remember the name very well.

Q. I find a letter from you to Mr. Mayer, dated Winnipeg, November 4th, 1903, it reads:

"Winnipeg, Nov. 4th, 1903.

"Mr. William Mayer,
"Touchwood Hills, N. W. T.,

"Dear Sir,—Regarding your transitman. As mentioned to you while in Winnipeg, if he is not satisfactory please let me know and I will send you a good man who is now in Tacoma. I would like to know about this as soon as possible.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. Who was that gentleman at Tacoma you were going to send? A. He was Mr. Heckman.

Q. Your nephew? A. Yes.

Q. On the 12th November you wrote Mr. Mayer answering to his of 3rd:

"Winnipeg, Nov. 12th, 1903.

"Mr. William Mayer,
"Assistant Engineer,
"Kutawa, N. W. T.,

"Dear Sir,—Answering yours of the 3rd inst., I hope that by the time you have received this letter that Mr. Raymond Heckman will have arrived at your camp. I think he will make you a good transitman as he has had

quite a good deal of experience. He is to receive $100 per month, his time and expenses will begin upon his arrival at Qu' Appelle on the C. P. R. Of course his expenses after arriving at that point will be paid.

"Yours truly,

"G. A. KYLE, Division Engineer."

Q. Did he get his transportation from where he left? A. No.

Q. Where did he come from? A. Tacoma.

Q. By way of Vancouver? A. No, by way of Cincinnatti.

Q. You got transportation for him from there. A. No, sir, I got no transportation for him at all. He paid his own fare to Qu' Appelle.

Q. Was a capable man? A. Yes, sir.

Q. How old was he at that time? A. 22 or 23 years of age.

Q. Where did he graduate from? A. He was not a graduate of any civil engineering school, had taken a course in the correspondence school and had worked on the Northern Pacific.

Q. He took a course by correspondence? A. Yes, sir.

Q. I see on the 4th December, 1903, you supply him with certain works:

"Dear Sir,—I have sent you by Mr. Mayer, Shunk's Field Book, $2.75, and one engineer's scale, $1.00.

"I could not get a series of Godwood in Winnipeg, but think that Shunk's is about as good for field work.

"Yours truly,

"G. A. KYLE, Division Engineer."

Q. So you were still continuing his education on the field? A. No, sir.

Q. What does that mean? A. That is a book in common use with all engineers.

Q. Then this Shunk's field book is a necessity to any engineer in the field, did you supply them usually from here? A. No, I sent them by request.

Q. He had no field book with him? A. No, he asked me to get one for him.

Winnipeg, Man., 7th June, 1904.
The Court House, afternoon meeting.

THE COMMISSIONER: This is the letter you received from Mr. D. D. Sprague?

"The Security State Bank, of Havre,
"Havre, Montana, Sept. 18, 1903.

"C. A. Kyle,
"Div. Engr., G. T. Pacific,
"Winnipeg, Man..

"Dear Sir,—Through Mr. E. R. McNeill I made application to you for position as locating engineer on Grand Trunk Pacific. I have been in the employ of the Great Northern for 12 years and in all different parts of the work, location, construction and maintenance, and would be pleased to refer you to former Chief Engineer N. D. Miller and John F. Stevens, to present Chief Engineer A. H. Hogeland, Resident Engineer A. Stewart or former Resident Engineer E. R. McNeill or H. W. Edwards, under all of whom I have worked. John Sullivan, division engineer C. P. R., and I were in college together and has known of my work since and I think would recommend me for the position. Hoping to hear from you I remain,

"Yours truly,

"D. D. SPRAGUE."

A. Yes, sir.

Q. He refers to Mr. Sullivan as division engineer of the C. P. R. Did you consult with Mr. Sullivan about Mr. Sprague? A. No, sir, I never thought of sending for him.

Mr. Mowat: What is the date of that letter?

The Commissioner: September 19th, 1903.

To Mr. Kyle: On the 25th September you replied to that letter as follows:

'I beg to acknowledge receipt of your favour of the 19th inst., making application for a position as locating engineer on the Grand Trunk Pacific, and in answer will say that it might be possible to place you a little later in charge of an exploration party. I will be glad to do anything I can for you as Mr. McNeill has recommended you very highly. I will place your name on file and let you know if anything comes up.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. That is your answer? A. Yes, sir.

Q. You did nothing further? A. No, sir.

Q. Who employed him? A. Mr. Van Arsdol.

Q. He is employed as district engineer? A. Mr. Sprague was locating engineer, McNeill recommended him as such.

Q. Then you wrote to Mr. Mason? A. Yes.

Q. On the 25th September you wrote to him. It is addressed 915 North Tenth Street, Tacoma, Washington:

"Dear Sir,—I beg to acknowledge receipt of your letter of the 20th inst., regarding position as chief draughtsman in the Winnipeg office.

"I am very glad that you have decided to accept this position as I think it will develop into a very good one later on.

"I expect to have Mr. Goodman in charge of a party in the course of two or three weeks, and I will probably want you in about that time, I will pay you $100 per month, and you pay your expenses, to start with, and there is no doubt but that in the course of two or three months I will be able to increase your salary to about $125 per month. I will wire you as soon as I know definitely when the change will be made.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. That letter you sent to Mr. Mason? A. Yes, sir.

Q. That was the one referred to that could not be produced yesterday or this morning? A. Yes.

Q. Now, did you write to your brother, Douglas Kyle, to come here or did he apply for employment? A. I do not exactly remember how it was.

Q. I see a letter from you to him, dated October 5th, 1903, it reads:

"Winnipeg, Oct. 5, 1903.

"Douglas Kyle, Esq.,
"c/o C. S. Cromwell,
"Division Engineer N. P. Ry.,
"Tacoma, Wash., U. S. A.,

"Dear Sir,—I have asked for transportation for you from Tacoma to Winnipeg by way of the Northern Pacific Railway.

"As soon as you receive this please come to Winnipeg to take a position as transitman at $100 per month. You will have to pay your own expenses until you arrive at the Saskatchewan, when all your expenses will be paid.

"Please wire me if anything occurs to prevent your coming immediately as the party is all ready to start and will wait for you,

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. Then on the 12th October you sent him a N. P. pass from Seattle to bring him to Winnipeg? A. Yes.

Q. Now you received a number of letters from Americans applying for different positions? A. Yes, sir.

Q. Quite a number and you generally answered them at the time, I suppose. A. Yes, sir.

Q. Now here is an answer which may possible go in for the greater number of them. It is one addressed to Mr. F. C. Pearl, of Spokane, Wash., and is dated November 17th, 1903:—

"Dear Sir,—I beg to acknowledge receipt of your favor of the 13th inst., making application for a position as transitman or assistant engineer. I am sorry that at present there is nothing that I can offer you but have placed your name on file and will perhaps be able to use you later as there will be a great deal of work going on in the spring.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. That is the general tenor of your answers? A. Well, some answers.

Q. That was when you would do something for them later on? A. Further on.

Q. This letter to Mr. C. L. McLelland, of Madeira, Penn., was a form of answer to these people, it reads:

"Winnipeg, Nov. 17th, 1903.

"C. L. McClelland, Esq.,
"Madeira, Penn.,

"Dear Sir,—Answering your letter of application of the 10th inst., I beg to say that at present there is nothing that I can offer you as we are simply running preliminary lines and have no construction work on hand.

"I have placed your name on file, however, as transitman or engineer on construction and if anything happens where your services would be needed I will let you know. There will probably be a good deal of work in the spring.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. That is the formal reply? A. Yes, that was the tenor of the letters, a great number of them were sent. I think you will find the Canadian answers are the same.

By Mr. Cameron: The Canadian applications would be more personal in their character.

The Commissioner: Here is a reply to Mr. John Scott, dated 8th December, 1903:

"John Scott, Esq.,
"c/o. C. N. Survey,
"Battleford, N. W. T.,

"Dear Sir,—I am in receipt of your letter of the 29th November and would be glad to see you when you come to Winnipeg. If there is anything I can offer you will let you know at that time.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. Then there is a letter to Mr. Grover, of Revelstoke, B. C., where you say: "Answering yours of the 30th ultimo applying for a position on the

Grand Trunk Pacific, I beg to say that at present there is no opening, but if anything develops before next spring will correspond with you."

Q. Here is another to Mr. C. W. Morris, dated 8th December, 1903:

"Winnipeg, Dec. 8th, 1903.

"Mr. C. W. Morse,

"Culp Street,

"Niagara Falls, Ont.,

"Dear Sir,—Yours of 3rd inst. to hand, and in reply I beg to say that at present there is nothing in the way of transit work that I could offer you as the parties are all filled up and we will not be sending out any more men until spring. I will place your name on file and keep you in mind when the work opens up.

"Yours truly,

"G. A. KYLE, Division Engineer."

Q. Similar letters to these were sent to the different parties applying. A. Yes.

Q. Mr. Mayer was rather a difficult man to work with? A. Well, I do not know, he was not the best tempered man.

Q. I see a letter dated June 3rd, 1903, from you to Mr. Stephens with reference to the work and in it you say:

"The man Achenback, who was sent out from your office, did not know enough to take a transit out of a box. Mayer says he thinks he was sent out because he was a Pennsylvania Dutchman, and that two Dutchmen can't get along together anyway."

Q. Now, Mr. Sullivan is the gentleman you consulted frequently about the appointment of men? A. Men who have worked for the C. P. R.

Q. There is Mr. Hislop, he worked for Mr. Sullivan, you consulted him? A. Yes.

Q. In your letter dated the 31st July, 1903, you state, with reference to him, to Mr. Stephens:

"Dear Sir,—Answering your letter of the 21st inst. requesting me to see Mr. Sullivan and ascertain his opinion of Mr. James Hyslop of Princeton, B. C.

"Mr. Sullivan informs me that Mr. Hyslop is a very good engineer, and he considers that he would make a fairly good locator; his only criticism being that Mr. Hyslop had trouble in getting along with men under him otherwise he considered him a very good man."

Q. You remember that recommendation? A. Yes.

Q. And you hired Mr. Hyslop in consequence? A. Yes.

Q. And Mr. W. E. Mann? A. I enquired of Mr. Sullivan as to Mr. Mann's abilities.

Q. As to Mr. W. E. Mann? A Yes, sir, I think so.

Q. You do not give his name there (showing him file of letters) would you be able to recollect it? A. That is W. E. Mann.

Q. (Reading) "I also inquired of Mr .Sullivan regarding his abilities. It would seem that his experience in Manitoba was not at all extensive in the location of railways, and his experience in this line has been acquired since his departure from Canada. From what I can find out it would seem that it is questionable whether or not he has had the necessary experience to take charge of a party and could only be ascertained by trial."

Q. And you found him satisfactory? A. Very satisfactory.

Q. Since his departure from Canada, what do you mean? A. I understood at the time he had gone to Cuba.

Q. To work for Sir William Van Horne? A. Yes, sir.

By Mr. CAMERON: Who is referred to? A. W. E. Mann.

THE COMMISSIONER: I think that is all I can ask you today, Mr. Kyle.

MR. HARDING recalled.

By Mr. MOWAT: Mr. Harding were you in the room when Mr. Kyle was telling about the vacancy as draughtsman now filled by Mr. Mason, were you in Winipeg then? A. Yes, I was in Winnipeg.

Q. Would you have been available for that position? A. Yes.

Q. Would you have been glad to get it? A. Yes.

Q. Are you qualified for the position? A. I venture to say that my experience in the C. P. R. construction department, where I gave satisfaction and understood the work—

Q. As draughtsman? A. Yes, I was paid in the inside office at the rate of $110, which is the highest rate paid in Canada.

By Mr. CAMERON: It was not the fault of Mr. Kyle that you did not get employment? A. It was strictly speaking my own fault, circumstances, domestic circumstances, prevented it.

Q. You explained that very frankly? A. Yes, sir.

ALEXANDER EGGO, being sworn:—

THE COMMISSIONER: What is your name in full? A. Alexander Eggo.

Q. You are in the employment of the Grand Trunk Pacific in Winnipeg? A. Yes, sir.

Q. How long have you been in the employ of that company? A. Since the 1st of last September.

Q. What position do you occupy there? A. Well, I have no particular title.

Q. Simply clerk in office? A. Yes.

Q. Supplies for the men in parties? A. Yes.

Q. What are your duties there? A. Well, looking after supplies chiefly.

Q. Where were you living before you were employed? A. In Winnipeg.

Q. How long? A. About 15 or 16 years.

Q. Your parents lived here too? A. Yes.

Q. You are a British subject? A. Yes.

Q. Do you remember Mr. Goddard? A. Yes.

Q. What did he do? A. He was a draughtsman.

Q. Assistant draughtsman. You know what salary he was drawing? A. Yes.

Q. How much? $85 per month.

Q. Do you know where he is employed now? A. He is town engineer for the Town of St. Boniface.

Q. You are sure that he is town engineer? A. To the best of my knowledge he is.

Q. How many other engineers are employed by the Town Council of St. Boniface? A. None that I know of.

Q. Could there be others without your knowing? A. There might be, but I did not so understand.

Q. What is he doing? A. He is doing the ordinary duties of town engineer.

Q. Street work? A. Street work and putting in waterworks and sewers.

Q. Has that been done yet? A. No.

Q. What is his salary there? A. $150 per month.

Q. Before he was employed by the Grand Trunk Pacific what were his duties? A. I cannot tell you I did not know him.

Q. How old is he? A. I do not know, I think he is about 31 or 32.

Q. Is he an Englishman or an American? A. Well, I guess he is a British subject.

By Mr. Mowat: You stated you lived here 15 or 16 years and your parents lived here. Is your father in the provincial civil service? A. Yes.

Q. What position does he occupy? A. I don't know the nature of his position.

Q. He is a carpenter? A. Yes.

Q. How long has he held that position? A. I really cannot tell, 12 or 13 years.

John G. Sullivan, being sworn.

By The Commissioner: What is your name in full? A. John G. Sullivan.

Q. What is your position on the C. P. R.? A. Division engineer, construction department.

Q. West of— A. West of Winnipeg to the Pacific coast.

Q. You succeeded Mr. Woodman? A. No, sir.

Q. Who did you succeed? A. Nobody.

Q. Well you were first appointed to that division as it now exists? A. I was first appointed to the Pacific division.

Q. Prior to that who had charge of that division? A. I came in with the construction department, Mr. Dennis was engineer, I succeeded him in that way.

Q. What position had Mr. Woodman on the C. P. R. when you knew him? A. I did not know his title, I understood he was engineer in charge of maintenance-of-way.

Q. From Port Arthur west to the Rocky Mountains? A. I do not think so. Yes, I think he was on the western division.

Q. To the summit of the mountains? A. Probably.

Q. How long have you been an engineer, Mr. Sullivan? A. That is a hard question to answer. What do you mean by engineer?

Q. If you tell me I might be able to understand, everybody has been stating that they are engineers? A. The degree of engineer was conferred on me in June, 1888.

Q. And since that time you have been in actual work as engineer? A. Yes, sir.

Q. Location and construction? A. Yes, sir.

Q. During that time you have come in contact with a large number of engineers? A. Yes, sir.

Q. The reason I know that is that I have seen a number of applications for employment and references to you for recommendation on their behalf. Now you know Mr. W. E. Mann? A. I know two Mr. Mann's.

Q. Father and son? A. Probably they are.

Q. They are sitting there now? A. Oh yes, I remember them.

Q. Were you consulted by Mr. Kyle with reference to the abilities of Mr. Mann, junior? A. Not that I remember.

Q. Don't remember? A. I may have been, but don't remember.

Q. Mr. Kyle states: "I also enquired of Mr. Sullivan"? A. Is that Mr. Mann senior or junior?

Q. W. E. Mann. A. His experience in Manitoba has not been extensive and has been acquired since his departure from Government work. Mr. Kyle thinks he has gone to Cuba.

Q. However he gave him a trial, do you remember as to Mr. William Mann junior's ability as engineer, locating engineer? A. When he worked under me he did not pretend to be a locating engineer and I did not so understand it.

Q. What kind of an engineer was he when working under you? A. Resident engineer in charge of construction.

Q. Was he not qualified to act as locating engineer? A. I don't know.

Q. Did you give Mr. Kyle your views with reference to his ability as to that? A. I cannot recollect any conversation about Mr. W. E. Mann.

Q. Now do you remember Mr. Hislop? A. Yes, sir.

Q. Were you consulted with reference to him? A. I think so, yes I was.

Q. Do you remember the recommendation you gave him? A. I thought he was a pretty good man, hampered by an unfortunate disposition.

Q. I think that is the word, that he was a fairly good locator you stated. Well there don't appear to be a great many good locators in the country? A. I do not know I said he was a good locator, but I would say he was evidently a good man.

Q. You stated, Mr. Sullivan, that Mr. Hislop was a very good engineer, you think so still? A. Yes.

Q. And do you remember Mr. Sprague—D. D. Sprague from Montana? A. Yes.

Q. He went to college with you? A. Yes.

Q. Were you consulted as to his ability? A. I do not think I was.

Q. Then I suppose when he states you were at college together you were living in the United States. You are an American citizen? A. Yes, sir.

Q. And knew Mr. Sprague's qualifications in consequence of that? A. Not in consequence of that.

Q. In what respect did you know his qualifications? A. Well I have known of his work for about 15 years. I don't think I was consulted about him or recommended him.

Q. Have you a list of applications for employment on the C. P. R. from engineers in Canada? A. Oh yes.

Q. Do you know how many applications you have on record from Canadian and British subjects? A. No, I could not say.

Q. About how many? A. I never made any calculation as to the number.

Q. You did not make an entry as to where they came from? A. No.

Q. Now you could state where an application was dated from? A. They are put on a list under transitmen, levellers and their address is given.

Q. Can you tell how many of these were addressed from Canada, engineers, etc.? A. Well this list we have would be rather misleading and I do not want to mislead the Commission.

Q. I only want to know the facts? A. You must remember that I have only been with the company five or six years and they were down probably when I came.

Q. Then you mean they may be seven or eight years old and perhaps more, but still you can say about how old they were? A. I do not believe we know it, we put it down on a list.

Q. You can ascertain from your clerk how many within the last two or three years have come in? A. Well, yes if they were entered, but there are a great many not entered up, but I can see the file.

Q. Yes, I would be very glad if you could verify it. I don't want to go into the names at all. Do you know Mr. Z. Malhiot, he resides in this city? A. I may know him, but I do not know him by that name. I have heard of him, but I do not think I have ever been introduced to him.

Q. He is Government engineer here I believe. Are you a member of any engineering society in Canada? A. Yes, sir.

Q. Which one? A. The Canadian society.

Q. How long have you been a member of that society, since you came to Canada? A. Not since I came first, it was something like on the American side, you had to know certain things and I was awaiting qualifications until four or five years afterwards.

Q. Then you were three or four years in Canada before becoming a member? A. Yes, I came in 1893, it was 1896 before I became a member

Q. Do you know many of the members there are actually in the society in Canada? A. I think at the last meeting they gave out over 1,000 in Canada, members and associate.

Q. Do you know many of the members of the society, Mr. Sullivan? A. Probably 25 or 30.

Q. Do you know Mr. H. W. D. Armstrong, of Ottawa? A. Yes, sir.

Q. What are his qualifications, do you know? A. I don't know.

Q. Do you know W. Mann? Yes, sir.

Q. Have you had any experience with him as to his qualifications? A. Not his qualifications as engineer.

Q. Would he be good as transitman? A. He is too old to be transitman at present.

Q. C. M. Arnold, do you know him? A. Yes, sir.

Q. What qualifications has he as engineer? A. He worked for me as resident engineer in charge of construction and gave good satisfaction.

Q. Do you know Charles A. Abbott? A. No.

Q. Mr. J. A. U. Beaudry, of Montreal? A. No. May have, don't know him personally

Q. Mr. Berryman, of Montreal? A. No.

Q. C. E. Cartwright, of Vancouver? A. I met Mr. Cartwright once.

Q. Do you know anything about his qualifications? A. Not personally.

Q. Do you know Mr. Dimsdale, of Belle Ewart? A. No, sir.

Q. Drury, of Sherbrooke? A. I have met Mr. Drury once, but not sufficiently to know about him.

Q. Do you know Mr. Hillman, of Hamilton? A. No, sir.

Q. Mr. J. H. Kennedy, of St. Thomas? A. I know a Mr. Kennedy very well. I don't know whether that is the same man; he is not here.

Q. Do you know Mr. Cecil B. Smith, of Niagara Falls? A. No, sir.

Q. Stevenson, of Collingwood? A. No.

Q. Slapzka, of Hamilton? A. No, sir.

Q. J. J. Collins, of Ottawa? A. No.

Q. I have a list of applications from Canadians and others here that were made to the Grand Trunk Pacific at Montreal, in which these names appear. Do you know Mr. Bagshaw, of this city? A. I don't think I do.

Q. Nor Mr. Winckler? A. No, sir.

Q. How long have you been living in Winnipeg? A. Only two years.

Q. Do you know Mr. Woodman? A. Yes, sir.

Q. How long have you known him? A. I think I first met Mr. Woodman about a year before I came.

Q. Where? A. In Winnipeg.

Q. A year before you came? A. Yes.

Q. Do you know anything as to his ability as division engineer? A. No, I cannot say.

Q. Would you say he was not a very desirable man for that position? A. It would be rather presumption on my part to say that. I do not know enough about the man, the only way you can learn a man's qualifications as an engineer is to have him working with you. Mr. Woodman is a friend of mine and I would not care about swearing that he is competent or not.

Q. Never had any dealings with him as an engineer that would enable you to state his qualifications? A. No, sir.

Q. Did you ever state that he was not a very desirable man for division engineer? A. I do not think I did. Not in that many words. I mean to say that our company did not try to keep him when he left, he was not kept by our company.

Q. You did not use the term that he was not a desirable man as division engineer? A. I do not think I did.

Q. You did not tell Mr. Kyle? A. I may have told Mr. Kyle of the circumstances. I do not think I used these words.

Q. Mr. Kyle wrote: "I enquired of Messrs. Tye and Sullivan as to his ability and both seemed to agree that he was not a very desirable man"? A. That might be, we might seem to agree.

Q. Did you agree to it? A. I generally supposed that Mr. Woodman was not—

Q. Did you agree to the statement that he was not a very desirable man? A. We may have given that impression.

Q. What did you state to have given that impression? A. I do not know, the only thing I can say that he evidently did not give satisfaction to this company.

Q. Do you know that he did not give satisfaction to the company? A. I was led to suppose that.

Q. By whom? A. By certain remarks.

Q. Can you give me any personal mention where he— A. You know how these things go.

Q. I know I would not say one word unless I was sure it was so and I think you are the same as myself, now where did you get the idea that he was not satisfactory to the C. P. R.? A. Well I think I heard rumours in Montreal that he was the lightest division engineer they ever had.

Q. From whom did you hear that in Montreal? A. I think I heard it from several?

Q. Who were they? A. Mr. Tye, Mr. McHenry.

Q. You heard that he was the lightest division engineer on the line? A. I got that impression.

Q. So that you told Mr. Kyle? A. I do not remember what I told Mr. Kyle.

Q. So that your opinion as to his qualifications is that he was not competent nor had sufficient ability for a division engineer on the Grand Trunk Pacific? A. I do not think Mr. Woodman has these qualifications for the reason that a division engineer on the Grand Trunk Pacific should be a thoroughly good locator.

Q. And yet you have not the slightest experience of what he is able to do? A. I did not consider that.

Q. That is the position, you have not the slightest knowledge of his ability as an engineer and yet you undertake to say he is not a desirable man? A. You asked me my opinion.

Q. I did not ask your opinion, your opinion is formed by what other people say and not from any knowledge of your own of this man's ability? A. No, sir.

Q. What is the fact? A. Well I did know that Mr. Woodman has done very little locating and one cannot locate without experience.

Q. What locating has he done to your knowledge? A. I don't know.

Q. Therefore you cannot say, he may have done a great deal besides what you know. Is that not the fact, we must get at facts? A. Well you asked me my opinion.

Q. I asked you for your opinion founded on facts not mere rumours, that is not evidence at all. I want evidence. A. Why did you ask me for my opinion?

Q. Because you gave your opinion to Mr. Kyle and I am entitled to know on what basis you formed that opinion. You say you have no knowledge of his locating work as an engineer and yet in your opinion he is not a desirable man for locating engineer? A. Engineers are somewhat like other men and we know any man who has made his mark in his line.

Q. Yes and because of that we called upon you for your opinion. I would not be afraid to let Mr. Woodman be judged by Mr. J. S. Whillan, for whom he has worked. A. Who is he?

Q. Chief engineer of the Panama canal. Q. Perhaps he would not accept that position.

Q. He knew him by reputation and would not accept a position of $4,000? A. I am working for less than that.

Q. I am surprised at that, I thought you were one of the highest paid men. You see how we are mistaken. Now that is all you can say as to your knowledge of Mr. Woodman's ability and qualification. That you really did not know anything as to his work as locating engineer, and that you formed your opinion on rumours without finding out whether these rumours were correct or not. That's all, thank you.

By Mr. Mowat: I want to ask about this Mr. Heckman. We have had young Mr. Heckman discussed here. I know he is employed by your company, what is his position? A. Resident engineer.

Q. Here? A. Headquarters at this office.

Q. Will you tell us what his emoluments are from the above? A. What is his pay?

Q. Yes, what is his pay? A. $100 per month, our scale for resident engineers.

By The Commissioner: Is he not inspector of fences? A. He is doing that work now as resident engineer.

By Mr. Cameron: When a vacancy occurs in your office do you go to the list of the Institute of Civil Engineers or to the secretary of the association to fill the vacancy. You have these applications before you and you know the men who are competent to fill the vacancy, do you not? A. When we can get them.

Q. It is not unusual to turn down an applicant, to use the phrase? A. No, sir.

Q. And you do that on grounds that have to do with the merits of the applicant? A. Entirely so.

Q. The question of nationality has nothing, therefore, to do with your decision. A. It never has since I came to Canada, since I came here I

have tried to employ Canadians if they were capable of filling positions. I may state this that last year I had three vacancies of $100 for some time and could not get them filled.

Q. Could not get Canadians? A. Canadians, United States or Dutch. I have a position of $175 a month now and cannot get a man to fill it.

Q. And what is that position? A. Reconnaissance engineer.

Q. $175 and expenses? A. Yes.

Q. Vacant how long? A. Two or three months.

Q. And two other positions? A. I can get all residents engineers this year. Two were vacant last year for some months, for four months.

Q. What do they get? A. $100 and expenses when out of Winnipeg.

Q. In making these appointments you look to merit and the interest of the company you are representing, those are the factors which govern your action? A. Yes.

By THE COMMISSIONER: What means do you take to fill these positions, do you advertise? A. No, I never advertised.

Q. Have you not advertised on any system of railways with which you have been connected? A. No, sir.

Q. And yet vacant and you did not advertise and you complain of it? A. Well, I wrote to my chief engineer, I wrote to my friends on other roads if they could give me a man for the position. They may have 100 or 150 applications in their files, but unless they recommended a man I would not try him. Most of our engineers on construction have to-day to have good recommendations.

Q. That is in the nature of things to have them. We had some discussion as to the transportation of employees on your road. Does the C. P. R. furnish transportation? A. It does for its own hands, over its own roads. As to roads controlled by us we would not furnish any transportation to or from work.

Q. As for instance? A. The Columbia Western.

Q. They would have to pay? A. Our arrangement is that if we have to send for an engineer we pay his expenses, as for rodmen, axemen, etc., we pick them up in Winnipeg.

Q. Supposing you were bringing an engineer from Chicago or Montreal would you get transportation from Montreal? A. Even for a rodman he would probably get a pass over our own lines.

Q. But if he were not from Montreal or some other points on your road, there is no fixed rule? A. No fixed rule, if we are compelled to send for him, that is when we write for him it is a question of bargaining.

THE COMMISSIONER: That is all, I thank you Mr. Sullivan. If you would let me see the papers you would oblige me very much.

Winnipeg, June 8th, 1904.
Meeting at 10 a. m., at the Court House.

The Commission resumes:

Present: HIS HONOUR JUDGE WINCHESTER, Commissioner,
" H. M. MOWAT, K.C.

Mr. Phillips on behalf of Hon. J. D. Cameron, K.C., askes that the meeting be adjourned until 3 p. m.

Mr. FRANK GIRDLESTONE, being sworn:

By THE COMMISSIONER: What is your name in full? A. Frank Girdlestone.

Q. You live in Winnipeg? A. Yes, sir.

Q. Lived here all your life? A. No, sir, I was born here, but left for a while for the coast.

Q. Your age is about 21 years? A. Yes, sir.

Q. Have you had any experience in survey work? A. Yes, sir.

Q. Where and when? A. On the C. P. R., Qu' Appelle Valley for nearly ten months.

Q. In what capacity? A. I started as picketman and worked after as topographer.

Q. Did you apply to Mr. Kyle, division engineer for work? A. Not directly, but through Mr. Goddard.

Q. Who was then in the office? A. Yes.

Q. And did you get an appointment from him? A. I got an appointment.

Q. As what? A. As topographer.

Q. At what pay? A. $75 per month to start on.

Q. Do you know what time that was? A. Must have been six or seven weeks ago.

Q. What time would that be? A. About the latter part of April.

Q. Did you get ready to go on this work? A. Yes, sir.

Q. Had you been in a position at that time? A. Yes.

Q. In what position? A. I was warehouseman with the Hudson Bay Company.

Q. Did you give up that situation? A. Yes, sir.

Q. Were you sent out? A. No.

Q. Why? A. I went to find out from Mr. Goddard on Saturday night and he said some new American by the name of Mayo had come in and had been given the position and I was struck off.

Q. That was the last you heard of it? A. Yes, sir.

Q. Did you see Mr. Mayo at all? A. No, sir.

By Mr. PHILLIPS: Did you ever make any application to Mr. Kyle personally? A. Yes, sir.

Q. When was that? A. It must have been about this time last year.

Q. What did you apply for? A. Rodman.

By Mr. MOWAT: Q. What did Mr. Kyle say to you on that occasion? A. That he would see if I could have a position.

Q. And in consequence of that what did you do? A. He was to let me know when there was a vacancy, but I have not heard anything about it.

Q. Did you make this application to Mr. Kyle? A. Yes, sir.

Q. At the time you were speaking of? A. Not personally, the transaction was carried on between Mr. Goddard and Mr. Allan.

Q. Who is Mr. Goddard? A. Mr. Goddard?

Q. What position did he occupy in the Grand Trunk Pacific? A. I think he was chief draughtsman.

Q. Who was in charge of the office at this time? A. Mr. Allan had the emploment of men.

Q. He was engineer in charge at that time? A. Possibly so.

Q. Did you see Mr. Allan or Mr. Kyle? A. I did not see Mr. Allan, he was not in.

Q. You made your application to the person in charge, this was Mr. Goddard? A. Yes, Mr. Allan was not in.

Q. Did you see Mr. Allan as well as Mr. Goddard? A. No.

Q. Mr. Goddard was alone in charge? A. Yes.

Q. And had appointed you as topographer? A. Yes, sir.

Q. At $75 per month? A. Yes.

Q. Did he enter your name any way? A. I do not know.

Q. He gave you no writing at all? A No, sir.

By Mr. PHILLIPS: May I ask you one other question? Did Mr. Goddard say anything about speaking to Mr. Kyle about this arrangement? A. Yes, sir.

Q. He was to find out from Mr. Kyle whether your appointment would be satisfactory? A. Yes, from both Mr. Kyle and Mr. Allan.

Q. You understood that Mr. Goddard did not have any authority to make any appointment? A. Well, I do not know what to say as to that.

Q. Did you understand that Mr. Goddard was going to refer to Mr. Kyle? A. Yes.

Q. You did not understand you were appointed until confirmed by Mr Kyle? A. I undestood Mr. Goddard acted for Mr. Kyle and that I was to go.

Q. When you went back to see him what did he say to you? A. He said that this young American had come, that he had been given my appointment and that he had not been consulted.

Meeting held at Winnipeg at 3 p.m. on the 8th June, 1904, in the Court House.

Present, HIS HONOUR JUDGE WINCHESTER, Commissioner.
" H. M. MOWAT, K.C., Counsel for Dominion Government.
" HON. J. D. CAMERON, K.C., Counsel for Grand Trunk Pacific.

Mr. JAMES H. BACON being sworn:

Mr. MOWAT: What is your name in full? A. James H. Bacon.

Q. What is your profession, Mr. Bacon? A. Civil engineer.

Q. Of how many years' standing? A. Fifteen or twenty.

Q. You are now employed on the Grand Trunk Pacific? A. Yes.

Q. In what capacity? A. In harbors and terminal sites.

Q. That is your exclusive work? A. Yes.

Q. When were you appointed? A. I was appointed last August, 1903.

Q. Do you remember how you came to be appointed? A. I received a telegram from Mr. Stephens asking me if I would accept a position.

Q. Where were you employed at that time? A. In the United States as a member of the U. S. Government survey on rivers and harbors in Georgia and Florida.

Q. You were down south? A. In Florida.

Q. That was your residence at the time? A. Yes.

Q. Would you mind telling us whether you improved your position by coming? A. I improved it slightly, yes.

Q. Do you know how Mr. Stephens came to telegraph you? A. It is stated in telegram that Lederle had informed him.

Q. And Mr. Lederle, what is his position? A. Mr. Lederle is a civil engineer in the United States.

Q. Living in? A New Orleans at present.

Q. George A. Lederle is his name? A. Yes.

Q. Do you happen to have that telegram? A. I have not got it.

Q. Did you accept by wire? A. I did finally. After some correspondence by wire I accepted and——.

Q. Any discussion as to salary? A. As to the terms of engagement.

Q. And finally what terms were agreed upon as to amount and as to length of employment? A. There was no agreement as to length of time, it was stated that my employment should last three or four months and the salary was to be $300 per month and expenses.

Q. And you are now getting $300 per month? A. Yes.

Q. Since August last? A. Since the latter part of August.

Q. Then how long have you been employed in the hydrographic surveys of the United States? A. About fifteen years.

Q. That has been your special calling? A. Yes.

Q. Any employment in connection with the locating or building of railways A. Not during that time.

Q. For the past fifteen years? A. Yes.

Q. Has your experience extended over tide water as well as lake water? A. Tide water only.

Q. Now, will you tell what harbors you have had to inspect and on what basis you make calculations as to your work here? A. I do not know whether there is any objection, it is a long list.

Q. You need not give us all the list, you might favor us with a few points? A. Well, there was the terminal point at Port Simpson.

Q. You have been there? A. Yes, and other ports on the Pacific coast and Lake Superior.

Q. Where are your headquarters now? A. Port Arthur.

Q. And does not your employment take you away from Port Arthur? A. Sometimes, this trip I came to Winnipeg to consult with Mr. Stephens.

Q. Because he was here? A. Yes.

Q. How long have you been in Port Arthur during the six months past? A. About two months.

Q. And out of the eight months of your employment how many have you spent in Port Arthur? A. About four or five months since August.

Q. I suppose in making any calculations as to the using of harbors as parts of terminals you depend largely on the surveys that have already been made? A. A great deal in preliminary work.

Q. The surveys of the Canadian Hydrographical Surveys have a good reputation for accuracy? A. As far as they go; they are not complete.

Q. Can you tell why they are not complete? A. The work has not been done I suppose, the money has not been forthcoming, I do not know.

Q. Can you say whether the harbor of Port Arthur has been examined thoroughly and a chart prepared? A. Yes.

Q. Certificated? A. Yes.

Q. Showing the depths of water? A. Yes.

Q. Such as to give the necessary knowledge or information? A. Yes.

Q. Have you got a map here? A. I did not bring it with me.

Q. Is there not a map in the room of the Port Arthur hydrographical survey?

Mr. Cameron: I do not see what bearing that has on the scope of the Commission.

Mr. Mowat: I will develop that later.

To Mr. Bacon: Q. Have you consulted at all with any of the Canadian hydrographic surveyors? A. To a limited extent with Mr. Stewart, he was working in the channel at the time, he is in charge of a dredge.

Q. Is that Mr. Stewart the Canadian hydrographic surveyor? A. I do not know.

Q. Looking in the Canadian Almanac under Department of Marine officers I see that Mr. W. J. Stewart is called hydrographic surveyor with a salary of $1,950 per annum. Do you know Col. Anderson, who is chief engineer of the Marine Department? A. I don't know him.

Q. Have you met his staff? A. No.

Q. Can you tell me now of any Canadian engineer in connection with the hydrographic survey of Canada that you have met? A. I never met any except Mr. Stewart.

Q. Has Mr. Stewart got assistants with him? A. I presume he has a full staff on board of his boat.

Q. Are you a citizen of the United States? A. Yes, I am.

Q. Always lived there before you came to Canada? A. Yes.

Q. Is it any bother for you to tell me if it is contemplated to make a terminal at Port Arthur? A. I cannot answer that question.

Q. That is, have you got any title, are you called by any title in this employment? A. I believe the title is harbor engineer in this employment for the Grand Trunk Pacific.

Q. I am asking these questions because it is important for us to know whether we have men engaged in such work. Do you know whether there are? A. I do not know whether they have any one man whose sole duty it is to make examinations.

Q. No Canadian? A. No.

Q. Have the C. P. R.? A. I know nothing about it.

Q. So far as you know, then, the other Canadian railways have not such officers? A. I know nothing about it.

Q. Have you made any particular surveys yourself at Port Arthur harbor, hydrographic surveys?

Mr. CAMERON objected to this question as he considered it an encroachment upon the confidental relations between employers and employees.

THE COMMISSIONER: I suppose the duties of these officers may be enquired into in so far as they do not have any connection with the future.

Mr. CAMERON: These officers act in a confidential manner and I do not see what benefit my learned friend nor the public can get from this evidence.

THE COMMISSIONER: It is quite within the scope of the Commission.

Mr. CAMERON: I do not think so.

THE COMMISSIONER: There is no harm in answering as to what has been done.

Mr. MOWAT to Mr. Bacon: I asked you if you had performed any hydrographic surveying in Port Arthur in addition to what information you had from the Canadian hydrographic surveys and statistics? A. I prefer not to answer that.

Q. Do you think that should not be answered? A. Not necessarily so.

Q. I am asking no particulars as to the new information? A. I prefer not to answer as a matter of precedent.

Q. Then the information you have stated that the Canadian hydrographic charts do not go far enough does not apply to Port Arthur? A. No, it does not apply to Port Arthur.

Mr. CAMERON: Are engineers who have given special attention to hydrographics numerous? A. They are numerous in the States. There are a great many employed in that work exclusively over there.

Q. You cannot say as to the numbers of such engineers on this side? A. I cannot say anything about that.

Q. You know of none yourself? A. Just Mr. Stewart, he is the only one.

Q. Outside of this you know of none? A. No.

THE COMMISSIONER: I suppose you have never been in Canada before on this kind of work? A. Before I came up to work?

Q. Yes, I mean to work. A. I do not remember.

Q. Then it is not likely you would know what engineers might make this a specialty in Canada. A. No.

Q. When did you arrive in Canada? A. The last day in August.

Q. Have you any clerks in your office. A. I have none.

Q. Did you know Mr. Lederle before you came here? A. Oh, yes, I knew Mr. Lederle.

Q. Had he spoken to you in reference to this work? A. He was living at Rawlings, Virginia, at that time, and I was living in Florida.

Q. What were the terms of your engagement in the United States? A. It was practically a permanent position as long as I chose to keep it.

Q. And you did not sacrifice it by coming here? A. Oh, no, I obtained leave of absence, my employment here was only to run three or four months and that was understood at the time.

Q. And that leave of absence has been continued? A. No, it is expired.

Q. But when you came here you were on leave of absence? A. Yes.

Q. Since then it has expired? A. Yes.

Q. You have not got the telegrams that Mr. Stephens sent you? A. I have not.

Q. You answered by telegram? A. No.

To Mr. STEPHENS: Have you that telegram, Mr. Stephens? A. I think it is in my office, the original and the answer. You ought to have it.

Q. I should but I have not. A. I can get it then.

Q. Yes, I wish you would.

Q. To Mr. BACON: Did the termination of your leave of absence terminate your relations with the Government? A. Yes, it did.

CECIL GODDARD being sworn:

THE COMMISSIONER: What is your name in full? A. Cecil Goddard.

Q. Where do you reside? A. At the present time in Winnipeg.

Q. How long have you been in Winnipeg? A. About six years.

Q. You are an Englishman by birth? A. Yes.

Q. What is your occupation? A. Town engineer for St. Boniface at the present time.

Q. Were you not employed on the Grand Trunk Pacific? A. Yes.

Q. When? A. I was engaged about September last.

Q. By whom? A. By Mr. Kyle.

Q. As what? A. As draughtsman.

Q. At what salary? A. $85 per month, with the understanding that if my services were satisfactory I was to get an increase.

Q. What is your age? A. Twenty-nine years.

Q. What was your experience as draughtsman? A. I have passed my examinations in the old country and came out here on the C. P. R. I started as rodman and then as draughtsman for years. I got a position as civil engineer with the C. P. R.

Q. You were on the C. P. R., before you were employed on the Grand Trunk Pacific? A. Yes, sir.

Q. Up to December 31st, 1903? A. Yes.

Q. You were employed there as engineer? A. Assistant engineer.

Q. For what duty? A. More particularly the construction of coal docks at Fort William and generally for building round-houses, etc.

Q. As draughtsman under Mr. Kyle did you give satisfaction? A. I think so.

Q. Well, then, was your salary increased because of that satisfaction? A. No.

Q. Was it promised? A. Yes, by Mr. Kyle and Mr. Allan, who told me that when Mr. Stephens came up here I would get my increase.

Q. When was that? A. In December, 1903.

Q. When did Mr. Allan enter that office? A. I think the latter part of the year, I am not sure.

Q. When did Mr. Allan enter the service? A. Some little time after I was there.

Q. Mr. Kyle promised to increase your salary? A. Rather promotion from draughtsman to other work. When I saw other men taken into the employment of the Grand Trunk Pacific I think I spoke to Mr. Kyle on the 3rd of May and asked him what chance I had and he said: "I will tell you the truth, there is very little chance here, and if you can do better elsewhere you better take it."

Q. Last month? A. Yes.

Q. Who was draughtsman? A. Mr. Goodman had charge of the office.

Q. And you were under him? A. For about a week.

Q. Under whom were you then? A. Mr. Mason, came from Tacoma.

Q. And he was given the position of chief draughtsman? A. Yes.

Q. Was he a superior draughtsman to you, can you say that? A. I would not like to say that.

Q. Who were the men that you say were employed and given positions while you were there and asking for promotion? A. Mr. Fairchild came here and stayed for a little while.

Q. Where from? A. From Washington. He was well known by Mr. Kyle and Mr. Mason, I think he was rooming with Mr. Kyle.

Q. What was he appointed to at first? A. Topographer.

Q. At what salary? A. I think he got $75 per month.

Q. What is he now? A. He was draughtsman very shortly afterwards.

Q. What party is he with? A. I don't know the number of the party.

Q. With whom? A. I cannot say who he is with, he is with some of the parties.

Q. C. D. Fairchild, draughtsman, engaged January 20, 1904, is that right? A. I think he is somewhere around there, from his name.

Q. How old is Mr. Fairchild? A. About 22 or 23 I think.

Q. Any other gentleman besides Mr. Fairchild while you were in the office? A. Mr. Heckman.

Q. Mr. Raymond Heckman? A. Mr. Heckman is here now.

Q. What position was he appointed to? A. I think he had charge of a party under Mr. Mayer.

Q. When was that? A. That would be coming around February.

Q. That gentleman is Mr. Kyle's nephew, I understand? A. Yes.

Q. As draughtsman you received $100, Mr. Kyle promised he would give you $110 as draughtsman? A. I stayed on with that understanding.

Q. Any other besides Mr. Heckman? A. There was Colladay came up from the States here.

Q. How old is Mr. Colladay? A. A man about 30, I think, he was given charge of a party.

Q. Charge of party No. 12? A. Yes.

Q. Any others? A. Not that I know of. I know there were one or two brought in, but did not take any particular notice at the time.

Q. How much do you get now? A. $150 a month and my expenses.

By Mr. MOWAT: I would like to know from you how you came to employ or have dealings with Mr. Girdlestone, was it part of your duty to engage young fellows? A. Mr. Allan asked me if I knew some young men that I could get. I did my best, looked around and engaged many young men.

Q. You have heard Mr. Girdlestone, was his story correct? A. Correct in every detail. Mr. Girdlestone went to the office on three occasions to meet Mr. Kyle and told Mr. Kyle that he would like to go out Monday. He understood from Mr. Kyle it was all right and got his stuff ready. On Saturday Mr. Mason came along and he told me, "You will have to get your friend to postpone his trip, of course, Mr. Mayo has arrived." Mr. Girdlestone was a little sore about it.

By Mr. CAMERON: You were not given any authority by Mr. Kyle to employ anybody? A. No, Mr. Allan had the engagement of all the men.

Q. All you had to do was to introduce these men? A. As far as engaging men I told Mr. Girdlestone that his job was held. We had to get a man as Mr. Allan had told me a telegram was received in the office for some vacancy on one of the parties. When men were thus wanted Mr. Allan would say: "I wish you would get a man." I did that on several occasions, on fifteen or sixteen occasions, for Mr. Kyle and Mr. Allan.

Q. The result would be that you would get these men and Mr. Allan would engage them subject to Mr. Kyle's approval? A. There was nothing about that in writing.

Q. You were never given any authority by Mr. Kyle to engage men? A. No, except by Mr. Allan.

Q. All your authority came from Mr. Allan? A. Well, yes, I tried to get men here, competent men.

Q. You were speaking about the Fairchild case, did I understand you to say that Mr. Fairchild was living with Mr. Kyle? A. He was living in the same room in the block.

Q. In his private premises? A. The majority of the men coming from the States did that.

Q. Do you know that? A. It is a fact.

Q. You know it of your knowledge? A. Certainly.

Q. Where were you living yourself, Mr. Goddard? A. I was living at Fort Rouge.

Q. You are a married man? A. Yes.

Q. With a family besides your wife? A. Yes.

Q. Many of a family? A. Very near two at the time.

Q. As this was likely to happen were you anxious to go into the field? A. I was very anxious.

Q. Would not that have involved your leaving a young and interesting family? A. Not at the time I asked Mr. Kyle. I asked him two or three times and put my faith in Mr. Allan on his promise that he would do what he could for me when Mr. Stephens came here. I stood it as long as I could, when you see other men put right in ahead of you.

Q. The fact that these men, three in number got positions while you were waiting, when you expected this position of $150? A. I did not expect it, I asked Mr. Kyle on May 3rd what he was going to do for me and he told me: "I tell you, Goddard, there is no chance for you. There were no new parties being made up and no vacancies."

Q. Did you have any trouble when with the C. P. R.? A. No, I left on the best of terms.

Q. I recollect myself a little bit of litigation mentioned in your name that gave you some trouble. Was there not one of your contractors in Fort William who gave you a little trouble? A. No, there was no trouble at all.

Q. None that you recollect? A. None that I remember.

By Mr. MOWAT: You say you procured fifteen or sixteen men for the parties, was there anything different between these men you got and the arrangement you made with young Girdlestone? A. None whatever, my recommendation was accepted.

Q. Mr. Girdlestone would no doubt have been also accepted, but for the arrival of Mr. Mayo? A. Yes. I saw him on the Saturday afternoon and told him that his services were not required.

Q. And you naturally regretted having made overtures to him that could not be carried out? A. It was no fault of mine.

Q. Was there anything said by Mr. Allan or Mr. Kyle about Girdlestone not being efficient? A. No.

By Mr. CAMERON: Nothing was said by Mr. Kyle about Mr. Girdlestone? A. No.

By the COMMISSIONER: You are speaking of Mr. Allan altogether? A. Yes.

JOHN WOODMAN recalled:

Mr. MOWAT: Mr. Woodman yesterday we had Mr. J. G. Sullivan here and Mr. Sullivan in examination as to his opinion of your qualifications as engineer was not altogether complimentary, and he made some slighting remarks about you, but as I gathered from the evidence there were more from what he heard than evidence; will you let us know what you have got to say as to your employment on the C. P. R., he having quoted Mr. McHenry as authority for his statement about you. A. Mr. Sullivan called me up last evening and apparently wanted to apologize for the remarks he had made and smooth things over with me. I asked him what the statements were and he told me he regretted having made them. I merely knew Mr. Sullivan as a brother officer in the C. P. R., our duties did not bring us in close touch at all; he had the construction department, I the maintenance of way, so it was a great deal of presumption on Mr. Sullivan's part to give his opinion.

Q. He rather wished to call attention to your lack of locating knowledge? A. In that he was expressing an opinion about a matter he knew nothing about. I have worked for two of our best men, George Winston on the north shore of Lake Superior, and E. H. Stuart. I came out to this country with Mr. E. H. McHenry, of the C. P. R.

Q. To this western country? A. Yes, and was on their location of the western branch. We spent the entire year under canvas. We commenced in November and got through our work on the following November on that particular occasion. We located and built extensions from Elm Creek, which I think is one of the best lines the C. P. R. has in the country to-day, and we built a line from Manitou west locating—.

Q. All kinds of country? A. Yes, the Manitou crossing is one of the heaviest gradients we had in the country. If Mr. Sullivan had known this he would not have expressed himself as he did. I might say that I went through the preliminary survey between Regina and Saskatoon on the Prince Albert road and then from there on a number of minor branches. I succeeded Mr. Stuart on his death here and though the company were not locating a great many lines there I had the entire charge of the location and construction of the smaller branches, so that I went down from here

intending just to call Mr. Sullivan's attention to that and guarding him against it, but he was not in his office and I had not time to wait.

Q. We can practically call the whole matter a misunderstanding.

By Mr. MOWAT: With regard to what Mr. Sullivan said about Mr. McHenry, I wish to read from a letter from Mr. E. H. McHenry to Mr. Woodman, dated March 17th, 1903, as follows:

"I am sorry that your personal feelings in this matter prompted you to tender your resignation, and trust that you will secure a position elsewhere that will be more to your liking. On the part of the company and myself I wish to express my appreciation of your knowledge and ability in carrying out the extensive and important works under your care for so great a proportion of the mileage of the C. P. R. system, and I hope that you will feel at liberty to ask me for any favors desired in the way of references, testimonials or otherwise. Yours truly, E. H. McHenry, Chief Engineer."

A. I did not ask Mr. McHenry for that letter. I have a letter written in a similar strain from Sir Thomas Shaughnessy.

By the COMMISSIONER: Have you Sir Thomas' letter? A. No, I did not bring it, it simply regrets that I had decided to leave the company's service.

Q. To what did he refer in mentioning "personal feeling"? A. The decision I suppose not to remain with the company after the splitting up of the division. I had what I considered the best division of the road, comprising, as I said yesterday, nearly 4,000 miles, and I think occupying the position that I did would have been quite sufficient for Mr Stephens and Mr. Kyle without discussing the matter with American friends who were here, instead of taking up the matter with me. When Mr. Kyle came up to my office last year, when he was looking for information regarding the country, if there was any position open he might have mentioned it, but he may have his own reasons for not offering it to me.

Q. You did not apply for a position? A. No, I did not apply.

Q. This enquiry from Mr. Stephens came without your knowledge? A. Yes.

By Mr. MOWAT: We had Mr. Bacon here, did you hear his evidence? A. Yes, sir.

Q. Will you tell us what your opinion is as to the necessity of having a hydrographic engineer at Port Arthur? A. All our harbors in the Dominion are under Government control with the exception of Montreal and there probably is some necessity for a special engineer at that place, but at other points the work is under Dominion control: they have their hydrographic survey. I know Mr. Stuart quite well and he has numerous assistance elsewhere. He was on Lake Superior himself and had a party with him. He has an enormous territory to get over and is doing good work.

Q. He is practically head of the hydrographic work? A. Yes.

Q. He has a salary of $1,950. Do you think he would have accepted the position now held by Mr. Bacon? A. Naturally he would accept that position. In connection with other railways they have no man occupying that position. Terminals are merely laid out and considered by the chief engineer. So far as terminals for oceanports were concerned that was actually done by the C. P. R. and the Canadian Northern.

By Mr. CAMERON: Opinion may of course differ as to the necessity of employing hydrographic experts, there is no doubt about that.

Mr. MOWAT: Well, I do not understand; I would not understand Mr. Bacon performing the work of hydrographic engineer, what he said was that he was looking after terminals.

Mr. CAMERON: That is a railway problem chiefly.

Mr. MOWAT: It might also be an international one, there might be the question of fortifications.

Mr. CAMERON: That depends where you are going to put fortifications and where you are building your docks. I have checked this evidence of Mr. Woodman, Your Honour, and I believe it is a matter affecting his own reputation and I do not see how the present discussion is germane, the question is one between Mr. Woodman and Mr. Sullivan.

Mr. MOWAT: Mr. Woodman came here to give expert evidence and was depreciated.

Mr. CAMERON: There was no depreciation on our part, we did not call Mr. Sullivan.

THE COMMISSIONER: We did so; the Grand Trunk Pacific allege that they only employed Americans where they could not get Canadians. For purposes of their own, officers of the company tried to cast discredit on Mr. Woodman's capabilities as division engineer.

Mr. CAMERON: No, Your Honour.

THE COMMISSIONER: Now Mr. Kyle stated that.

Mr. CAMERON: He found from Mr. Tye and Mr. Sullivan that Mr. Woodman was not a suitable person for the position——.

THE COMMISSIONER: And we find that these positions of division engineers have nearly all been filled by Americans and the question arises was Mr. Woodman capable of taking that position?

To Mr. WOODMAN: Have you the letter I wanted from you? A. Yes, sir. (Hands same to Commissioner, who reads):

"Montreal, April 2nd, 1903.

"Mr. J. W. Kendrick,

"Third Vice-President A. T. & S. Fe Ry., Chicago., Ill.

"My dear Mr. Kendrick,—This will introduce Mr. J. Woodman, who has been for many years in the service of the Canadian Pacific Company, acting in the capacity of division engineer. He has voluntarily resigned his position with the Canadian Pacific for personal reasons, and desires to re-engage with your company, if possible. During his service with this company he has had charge of a great variety and amount of important work within the limits of the western division, which comprised nearly one-half the mileage of the system, or about 4,000 miles. I can conscientiously recommend him to your favorable consideration. Yours truly, E. H. McHenry, Chief Engineer."

Q. That was given by Mr. McHenry on the date mentioned? A. Yes.

By Mr. CAMERON: Q. You were in charge in the early days of C. P. R. construction north of Lake Superior? A. Yes.

Q. In the days of John Russell? A. No.

Q. You do not recollect the American engineers who were under him? A. No.

Q. How far west did their contract go? A. I don't know.

Q. Were you not here? A. No.

Q. Only commenced in 1883? A. Yes.

Mr. G. A. KYLE re-examined:

THE COMMISSIONER: Mr. Goodman was employed by you I understand, Mr. Kyle? A. Yes, sir.

Q. He lived in Tacoma? A. Yes, he lived in Tacoma.

Q. And did you send for him? A. I sent for him, yes, sir.

Q. He came in answer to your request? A. Yes, sir. I think there was a letter, although I could not find any letter. Mr. Goodman tells me

that he had a private letter from me and probably, as it was a private letter, I did not keep a copy.

Q. At any rate it was in consequence of that that he came? A. Some such matter as that.

Q. He is an American citizen? A. Yes.

Q. After he came here he received $100 per month. He stated that he received but $90 in the States, do you know that? A. I am not certain, I was under the impression that he received more over there.

Q. Was it your desire to promote him as soon as he came? A. My idea of the situation was that the work would increase the importance of the chief draughtsman and the salary would increase.

Q. And carrying this out you recommended him for the charge of a party? A. After he came up——.

Q. How was it that he was removed to Montreal from Winnipeg? A. Mr. Stephens asked to have him transferred, to take charge of his office.

Q. Mr. Stephens asked that? A. Yes.

Q. What inducement did he give to Mr. Goodman for that? A. I did not know there was much inducement. He wanted to go in charge of this party and so applied for it.

Q. Do you know what salary was promised him? A. I really don't know, I don't remember.

Q. Now, with reference to sections 17 and 18, do you know Mr. Callaghan, the assistant engineer? A. No.

Q. Mr. Hare, transitman? A. No, sir.

Q. Do you know any of the party? A. I did not enquire as to any of them.

Q. Do you know Mr. Sprague? A. No, sir, I do not.

Q. Is that letter I showed you from him to you? A. Yes.

Q. You did not know him personally? A. No.

Q. You saw him coming through? A. I do not remember, I did not know Mr. Sprague.

Q. You know he has a transitman, your brother Douglas? A. Yes.

Q. He is an American citizen? A. Yes.

Q. Do you know when he was engaged? A. He came about September of last year.

Q. I see he is entered on the list given me by Mr. Mellen as having been engaged on the 8th March, 1904. A. He was engaged before that.

Q. It was in September when he came to Canada? A. Yes.

Q. That is your recollection? A. Yes.

Q. You received some communications from Mr. Critchlow? A. Yes, sir, I think I did.

Q. Do you know him? No, sir.

Q. He lived in Colorado or Michigan? A. I don't really remember. I think he was from Michigan.

Q. His letter to you of December, 1903, is from Cossopolis, Mich.? A. I guess you are right, as he lived there temporarily.

Q. Then on the 5th January, 1904, you wrote him. Do you remember that letter? A. Yes.

Q. It is addressed to Mr. D. B. Critchlow, Cossopolis, Mich., and reads as follows:

"Dear Sir,—Answering yours of 30th ultimo making application for a position on the Grand Trunk Pacific, I remember having written to you a few months ago regarding a position. I would like to ask you if you would consider an offer of $150 and expenses, after reaching Winnipeg, to take charge of a locating party? It would be necessary to come on short

notice as we wish to get the party started, which would, of course, interfere with your two months' vacation.

"An early answer would greatly oblige,

"Yours very truly,

"G. A. KYLE,

"Division Engineer."

What party were you making up? A. I think we were sending out a party west of Winnipeg.

Q. What number? A. About 11 to 15.

Q. How many parties were you going to send out? A. Five.

Q. Do you remember Mr. Cryderman? A. Yes.

Q. Had you an application from him? A. I think so, if I remember correctly.

Q. On the same date, 5th January, you wrote him to Whatcom, Wash.:

"Dear Sir,—Answering your letter of the 24th ult., making application for the position of locating engineer on the Grand Trunk Pacific Railway. Will you consider an offer of $150 per month and expenses as locating engineer on the Grand Trunk Pacific? salary and expenses to begin on arrival in Winnipeg. It is very likely that we can obtain transportation by way of the N. P.

"An early answer will oblige,

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. That you forwarded to him on that date with a view of filling up another of these parties? A. Yes.

Q. Do you remember also Mr. A. C. O'Neill? A. Yes, I remember him.

Q. He is also from Washington State, Eagle Creek; your letter to him reads:

"Winnipeg, January 5th, 1904.

"Mr. A. C. O'Neill, Eagle Creek, Clackhamas Co., Wash.

"Dear Sir,—I beg to acknowledge receipt of your favor of the 29th ultimo regarding a position on the Grand Trunk Pacific.

"Would you consider an offer of $175 per month on a survey east of Winnipeg? The transportation in this country is very difficult, as we have to use dog teams in winter and canoes in summer. The question of supplies is also very difficult.

"If you would like to accept a position of this kind please write as soon as possible. I do not think we could use the whole of your party as it is the policy of the company to use as many Canadians as possible.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. What survey was that? A. It was probably someone who had quit.

Q. Who had quit? A. Mr. Mayer, I think.

Q. Mr. Mayer, in January, 1904? A. Mr. Rice and Mayer had quit.

Q. And you had that in view at that time? A. Probably.

Q. Do you know whether any of these men were employed by you? A. In some of these cases I wrote three or four men for the same position.

Q. Did you write Critchlow, Cryderman and O'Neill about the same

position? A. I cannot say, I do not remember. In some cases I did that in order to hurry them up.

Q. O'Neill was for east of Winnipeg? A. The letter states it.

Q. Why were they not employed, do you remember? You did not employ any of these men? A. I got Mr. Ord and in another place probably Mr. Pim.

Q. Did you employ either of these men? A. I employed Mr. Pim and Mr. Ord came through Mr. Stephens.

Q. Did that come through you or North Bay? A. Well Mr. Pim, I hired him in Winnipeg.

Q. Can you tell the date? A. No, there were so many parties.

Q. Mr. Pim was engaged on October 6th, 1903, so that you could not have employed him instead of these, Pim took the place of Mayer, so you see it was not Mayer's place these people were to fill because these letters were in 1904? A. I am just speaking from memory, I would not like to say I am correct.

Q. O'Neill's letter is dated January 5th, 1904. Here is another letter to Cryderman written by you on the 25th January, 1904:

"Winnipeg, January 25th, 1904.

"Mr. J. J. Cryderman, Whatcom, Wash.,

"Dear Sir,—Answering yours of 10th instant, referring to the matter of a position on the G. T. P.

"I am sorry that changes have been made in my division since writing you my first letter which will eliminate the necessity for more locating parties.

"I will keep you in mind, and if anything develops in the spring will communicate with you.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. Do you remember what you had reference to there about changes in your division? A. About that time the division was split, some taken off the east end and some taken off the west end, five off east end and the same off the west and given to Messrs Van Arsdoll and Knowlton.

Q. So Mr. Van Arsdoll was engaged that year? A. Mr. Van Arsdoll came somewhere about August, 1903.

Q. And to Mr. Critchelow you sent a similar letter? A. Yes, I said before, I sometimes wrote to two or three men so as to ensure prompt action, I was in a hurry to get the parties out.

Q. On the 28th January, 1904, you wrote to Mr. O'Neill:

"Dear Sir,—Answering your letter of the 19th inst., I am sorry to say that since writing you on the 5th inst. there has been a change made in my division which eliminates the necessity of obtaining another assistant engineer and I will not be able to offer you this position.

"I would suggest that you address Mr. Stephens, Assistant Chief Engineer, G. T. R. System, Montreal. Perhaps he may be able to offer you something."

Q. That is the letter you wrote? A. Yes.

Q. What was your brother Douglas acting as on the 5th January, 1904? A. I think about that time Mr. Tilden was away and my brother, who was transitman of the party, took charge of it temporarily until we got another man. We could not get a regular locating engineer for six weeks or something like that. Mr. Tilden was at Yorkton at that time.

Q. On the 5th January, 1904, you wrote to your brother as follows:

"Winnipeg, January 5th, 1904.

"Mr. Douglas Kyle, c/o B. P. Tilden, Esq., Yorkton, N. W. T.

"Dear Sir,—I beg to acknowledge receipt of your letter of the 24th ultimo and have noted what you say in your letter.

"I would advise both Bergen and yourself to remain with the job as there will soon be a change made.

"If you think that you would be able to handle the party I might let you take a trial at it. Let me hear from you as soon as possible.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. Do you remember what that change was? A. Yes, Mr. Tilden had left.

Q. "If you think you would be able to handle the party I might let you take a trial at it." Do you remember whether you gave him that opportunity? A. Yes, I let him have it in February, about a month.

Q. Then why did you not appoint him? A. One reason was that as he is my brother I did not think it would be satisfactory to the other divisions.

Q. Was that the reason? A. Yes.

Q. What was he complaining of at that time, do you remember? A. Yes, he and Bergen were not pulling well together, both were complaining of not being able to get over the country because the engineer in charge, Tilden was not getting over the country, making mileage.

Q. How did that affect him? A. I don't know.

Q. And he was going to leave? A. Well, he was dissatisfied.

Q. He was dissatisfied and wanted to leave on account of Mr. Tilden? A. Yes.

Q. Now, you wrote to Mr. W. H. Mitchell on the 19th January, 1904, about the party which was made up as follows:

"Winnipeg, January 19th, 1904.

"W. H. Mitchell, Esq.

"Assistant Engineer, Dinormic, Ont.

"Dear Sir,—I am sending you to-day the rest of your party to wait for you at Dinormic:

"Levelman, C. D. Fairchild.

"Rodman, G. Mowat Russell.

"Chain head, J. B. Phillips.

"Chain rear, V. S. Ferguson.

"Axemen, H. Irving, F. Small, Norman Hughes, G. J. Eleet, W. D. Morrison, Robert Mackelvie."

Q. Is Fairchild the man Goddard was referring to? A. Yes.

Q. Did you appoint him here? A. Yes.

Q. He is an American citizen? A. Yes.

Q. Did you appoint the rodman, G. Mowat Russell and all the others? A. Yes, sir.

Q. You appointed all of these others, are they British subjects or Canadians? A. Yes.

Q. Mr. Fairchild was the only American and that was the date he was appointed? A. By the way, Mr. Fairchild came up on his own responsibility.

Q. How did he come here? A. The first thing I knew he was here and came to see if there was anything.

Q. Who had invited him across? A. No one that I know of, I did not.

Q. Do you know Mr. Atwater, assistant to the president, Detroit, Michigan? A. Well, I don't know him. (Looks at letter which Commissioner hands him.)

Q. What president is referred to there? A. I have not got his letter, I think that is in connection with the Grand Trunk Railway.

Q. On the 1st February you wrote him:

"Winnipeg, February 1st, 1904.

"Mr. A. B. Atwater, Assistant to the President,
"3 Buhl Block, Detroit, Mich.

"Dear Sir,—I have your letter of the 28th ultimo introducing Mr. E. Meddaugh.

"I have arranged to place him in Mr. Kelliher's party, which is located just west of Winnipeg. His address will be c/o B. B. Kelliher, Langenburg, N. W. T.

"Yours truly,
"G. A. KYLE,
"Division Engineer."

Q. Who is Mr. E. Meddaugh? A. Son of an attorney of the G. T. R.

Q. In the States? A. I think in Detroit.

Q. Is he an American, Mr. Meddaugh? A. I believe he was.

Q. "I have arranged to place him in Mr. Kelliher's party," would that be correct? A. Yes, he only stayed about two weeks.

Q. On the same date you wrote to Mr. Kelliher:

"Winnipeg, February 1st, 1904.

"Mr. B. B. Kelliher, Langenburg, N. W. T.

"Dear Sir,—This will introduce to you Mr. Elijah Meddaugh, one of Mr. Hays proteges, who has been sent out here from Montreal to be placed in your party.

"He has had no experience whatever but is expected to do the work given him in the same way as the rest of your men. He seems to be a good sort of boy.

"Yours truly,
"G. A. KYLE,
"Division Engineer."

Q. How old was that lad? A. I would say about 19 years.

Q. Without any experience? A. Without any practical experience. I think he was a stenographer. He came out on account of his health.

Q. He is not employed now? A. No, sir.

Q. I see on February 1st you wrote a letter to Mr. Young of Wisconsin, answering his of the 21st January, making application as transitman:

"Winnipeg, February 1st, 1904.

"Mr. George R. Young,
"710 Doty Street, Eau Claire, Wis.

"Dear Sir,—Answering yours of the 27th ult., making application as transitman or assistant engineer on construction, I beg to say that it will probably be late in the spring or summer before construction work is begun, but it may be possible that there may be a chance as transitman with a location party. I will place your name on file and will communicate with you if an opening presents itself.

"Yours truly,
"G. A. KYLE,
"Division Engineer."

Q. You did not employ Mr. Young? A. No, sir.

Q. Now, I was pleased to see a letter from you to Mr. Mayer on the same day, 1st February, who was the gentleman who had charge of that party—this letter was addressed to him as assistant engineer, Davidson, N. W. T. I will read a portion of that letter:

"The men who are coming back from your party are complaining of the treatment they have received while at work. An engineer to be successful should endeavor to get along with the men under him as well as those to whom he reports, and I would suggest that you take this phase of the situation to avoid trouble."

Q. Who were the men that were complaining of the treatment they received? A. Several of the men.

Q. Do you remember the names of any? A. No, sir, I don't remember.

Q. McVicar, transitman, is the man you transferred up to party No. 15? A. Yes, there were two or three men in the party wrote me letters about Mayer, I heard indirectly also.

Q. So that Mr. Kerle was not the only one? A. No, sir, so far as that goes.

Q. Mr McVicar was a good man for the position? A. A very good man.

Q. Capable of taking charge of a party? A. No, I would not consider so.

Q. Did McVicar take charge of the party when Mr. Mayer was in charge? A. No.

Q. Was it not reported that McVicar took charge of the men while Mr. Mayer remained in camp all the time? A. No, sir .

Q. Now, did Mr. Mayer have a larger number of men than Mr. Mann? A. In the same party?

Q. In the same party? A. No, sir.

Q. Did you not authorize him to obtain Mr. Hicks in connection with two styles of surveying, one called a reconnaissance line and another? This was not a reconnaissance line when he succeeded Mr. Mann? A. Yes.

Q. How many men had they? A. In all about 10 or 12 men.

Q. And you gave him authority to retain Mr. Hicks? A. I don't remember. I remember when they changed the system, we sent out parties of about 20 men.

Q. Now who is Mr. Hicks? A. Transitman of party No. 12.

Q. He is an American? A. Yes, sir.

Q. Where is he now? A. Well, I don't know.

Q. He has left the service? A. Yes.

Q. He was employed in February, 1904, I see? A. Yes.

Q. Now as to Mr. Talbot, where did Mr. Talbot come from? A. From Montreal.

Q. Was he a Canadian? A. I understood he was a Canadian.

Q. Where is he now? A. With Mr. Heaman.

Q. Well now, Mr. Smith, where was he placed? A. He was placed in party No. 12.

Q. E. G. Smith, where did you employ him? A. In St. Paul.

Q. Is he an American citizen? A. I am not sure.

Q. Where is he now? A. He is employed in party No. 12.

Q. I see a letter to him on the 11th February, 1904:

"Winnipeg, February 11th, 1904.

"Mr. E. G. Smith,

"399 East 8th Street, St. Paul, Minn.

"Dear Sir,—Answering your letter of the 5th inst., making application

for a position as draughtsman on the Grand Trunk Pacific Railway, I beg to say that I can offer you a position as draughtsman in the field at $75 per month and expenses after arriving at Winnipeg.

"If you decide to accept this offer kindly write me immediately, and I will endeavor to get you transportation,

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q You got transportation? A. Yes.

Q. And he came shortly after that? A. Yes.

Q. And is still in the service of the company in No. 12? A. Yes.

Q. Now can you remember Mr. C. M. Bassett, of Seattle, Washington? A. Yes.

Q. On the 15th February, 1904, you wrote him:

"Winnipeg, February 15th, 1904.

"Mr. C. M. Bassett,

"Yesler Pier No. 2, Seattle, Wash.

"Dear Sir,—Answering yours of the 7th inst., making application for a position as leveller or topographer or rodman, I beg to say that at present there is nothing that I can offer you, but there may be something soon.

"I will place your name on file and if there is anything I can do for you will communicate with you later.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. Do you remember when he was employed? A. I do not think he was employed.

Q. That was on the 15th? A. As I did not employ him I do not remember the date.

Q. He is the man that W. E. Mann stated yesterday was an American? A. I do not know, I think Van Arsdoll employed him.

Q. You think Van Arsdoll employed him? A. Yes, as far as my memory goes.

Q. Then there are a number of letters to American applicants, Mr. Olaf Toft, Seattle, and others? A. None of these were employed.

Q. Now Mr. Talbot, draughtsman, you sent him to Mr. Heaman? A. Yes.

Q. You did not know whether he was a Canadian or an American? A. I am almost sure he is a Canadian, that is my impression.

Q. C. E. Mathews, where did he come from? A. I don't remember.

Q. You wrote a circular letter to Mr. Ord, Mr. Heaman, Mr. Perry and Mr. Mitchell in which you stated:

"Winnipeg, March 2nd, 1904.

"Gentlemen,—Mr. C. E. Mathews has applied through Mr. Wainwright, general assistant to the President, for a position as leveller, but as he is anxious to get started in the railway business in this country will take the position of packer, rodman, axeman or any other that may be vacant in any of the parties.

"If you have a vacancy I would be glad to have you let me know as he is a strong, robust, active and willing man.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. Do you remember him? A. I wrote that letter.

Q. You remember nothing about him? A. I do not.

Q. In what staff is he employed or in what party? A. I don't remember his name in connection with any party.

Mr. Mowat: You might look it up and see if he is in any of these parties. You do not remember him? A. I do not.

Q. I think his name is on the list, you do not know where he came from? A. I think he came from England. I remember him writing to Mr. Wainwright. I think he came from England.

The Commissioner: The standard of the wages of the company is:

Transitmen, $100.
Levellers, $75.
Draughtsmen, $75.
Topographers, $75.
Rodmen, $50.
Head chainmen, $45.
Dog drivers, $35 to $45.
Cooks and head packers, $60.

A. Yes.

Q. Who employed the rodmen, chainmen, dog drivers, cooks and other men? A. Well, we employed most of the men here in Winnipeg, some were employed elsewhere. Mr. Mann employed quite a number.

Q. You employed young Mayo? A. Yes.

Q. How old is he? A. I suppose about 18.

Q. Yes, this letter says about 18, it is dated February 27th, 1904, and is addressed to you from M. P. Martin, controller of the Northern Pacific Irrigation Company, Tacoma, Washington, and reads as follows:

"Dear Sir,—This will be handed you by my young friend Stanley J. Mayo, who is anxious to get a position in one of your engineering parties.

"Stanley is the son of my old chief clerk, A. A. Mayo, who died about ten years ago, leaving a widow and two children. Mr. Mayo was a splendid clerk and loyal friend and I feel great interest in his boy and want to see him succeed.

"Stanley is about 18 years old and well brought up, gentlemanly and courteous. He has had about two years' experience with N. P. engineers, his last work being on the Seattle Belt Line. He would make an excellent picketman, chainman or rodman on location or construction.

"I commend him to your kind consideration and will appreciate anything you can do for him.

"Yours truly,
"M. P. MARTIN,
"Comptroller."

Q. Mayo apparently brought this letter with him. Do you remember when he turned up? A. Mr. Mayo came up specially to see me with this letter, but I did not employ him at the time.

Q. That was the last of February or beginning of March? A. March.

Q. I find a letter from you to him addressed to St. Paul, of the 28th March, 1904, in which you state:

"Dear Sir,—Acknowledging your letter of the 23rd inst., I beg to say that there has been nothing that I could offer you since you were here, but I will keep you in mind and try and give you something in the near future.

"Yours truly,
"G. A. KYLE,
"Division Engineer."

Q. Again I see another letter on the 26th April, 1904, to Mrs. A. H. Mayo, St. Paul:

"Dear Madam,—I have your letter of the 21st inst. regarding a position for your son. I am sorry that at the present time there is nothing that I can offer him on my division, all the parties being filled and I have no instructions to send any new ones out. If he can find employment elsewhere I would advise him to accept it as things are not looking very promising out here.

"Yours truly,
"G. A. KYLE,
"Division Engineer."

Q. How shortly after that time did you employ him? A. On the 26th April, shortly after that he came up from St. Paul and I put him on.

Q. Do you remember about Mr. Goddard? A. Yes, sir.

Q. Desiring promotion? A. Yes, sir.

Q. Did you promise him promotion? A. That is according to Mr. Goddard. He supposes he came and perhaps spoke about going out on the line. The weather was very cold, his wife had had twins and I asked him whether it would not be a good idea not to go out in such cold weather and he finally consented to wait. I thought he was perfectly satisfied. I told him that possibly I could raise his salary in the office.

Q. You promised him that? A. I promised him.

Q. He stated that on the 3rd of May he asked you about his increase in salary and you said: "I will tell you candidly, Goddard, there is no chance here, if you can get something better elsewhere take it." You advised him in that way? A. I thought he had better improve his situation if he could.

Q. Mr. Mayo had been appointed in the meantime? A. Yes, sir, but Mr. Goddard would not have taken that position.

Q. What position would he have taken? A. He wanted to become transitman.

Q. He would not have Mr. Mayo's position? A. No, sir.

Q. Nor Mr. Fairchild's? A. Yes.

Q. Mr. Heckman's position, he would have taken that? A. Yes

Q. Mr. Colladay's position? A. Yes.

Q. He could have taken Mr. Heckman's position? A. Yes.

Q. When was Heckman appointed, do you remember? A. I don't remember.

Q. Mr. Colladay was appointed on the 18th April, 1904, was Mr. Heckman appointed about the same time? A. No, a long time before that, two or three months. He must have come in December.

Q. Well, you remember Frank Girdlestone? A. No, sir, I do not remember that occurrence as related. Mr. Allan was looking after that in my office.

Q Was that part of his duties? A. Yes.

Q. So that whatever he promised would be in line with his duty? A. Yes.

Q. And you would have carried it out? A. Yes, sir, whatever he did while I was absent.

Q. He was supposed to have authority? A. Yes.

Q. Now we come again to Mr. O'Neill, with reference to the position he was offered, you wrote him on the 7th April, 1904:

"Winnipeg, April 7th, 1904.

"Mr. A. C. O'Neill, Vancouver, Wash.,

"Dear Sir,—Answering yours of the 30th ultimo, I beg to say that I do not know whether or not the Grand Trunk Pacific have decided that no

more American engineers are to be employed on the road. The transportation of Americans has been agitated considerably in this country, and I do not know how the matter will be settled. We are at present giving Canadians the preference and I do not think your being on the ground would make any difference as you would have to be classed as an American.

"Yours truly,

"G. A. KYLE,

"Division Engineer."

Q. Now there are a large number of letters subsequently in which you send similar answers that Americans were not to be employed at the present time? A. That is what I usually told them.

Q. That policy was only started in April last, that is your policy of appointing Canadians instead of Americans was only carried out in the beginning of April? A. No, sir.

Q. Simply up to that time it was not in use? A. Yes.

Q. Up to that time you had been appointing Americans? A. Yes.

Q. You had employed Fairchild just shortly before that, had you not, or did you employ Fairchild? A. Yes.

Q. You employed Colladay? A. I did not employ him.

Q. He was employed on the 18th April, you employed Mayo on the 26th April, you employed Mr. Hicks, you employed Mr. Smith on the 1st of March? A. Yes because at that time I could not find anyone else.

Q. I suppose you had a great number of applications in your books from Canadians, can you tell me any Canadian that you asked before the month of April, 1904? A. I cannot say exactly as to that, we had a number of personal applications before that book.

Q. I find very few engineers on that book although I find quite a number in the list? A. There were very few engineers applied personally.

Q. Or by letter? A. I do not think there were many. I knew of a number of draughtsmen or levellers.

Q. Did you apply to or ask any of these men to take positions? A. We usually employed local men. If we could not find local men we took others.

Q. I do not find one letter about that time from you to Canadians asking them if they would take a position? You were not in a position to know if Canadians were available? A. If they did not apply?

Q. Did you apply to any of the schools of practical science or engineering schools in Ontario? A. No sir I never did that.

Q. They have a number of graduates, engineers and others, they could recommend, I suppose these men you did not apply to? A. I did not apply to them.

Q. Nor to the society of Canadian engineers? A. No.

Q. Now here is your letter to Mr. Heckman about Mr. Colladay:

"Winnipeg, April 25th, 1904."

"Mr. R. F. Heckman.

"Touchwood Hills, N. W. T.,

"Dear Sir, This will introduce to you Mr. W. E. Colladay, who is to take charge of the party.

"As mentioned to you in my letter of a few days ago there has been such a cry raised about placing relations in permanent positions that in order to stay in this country myself I will have to relieve you. Personally I am very sorry to do this but it seems to be necessary. If you desire to stay on as

transitmen Mr. Colladay will be very glad to have you and I would advise you to do this at least for the present as I do not suppose you have any position in view. It will not be looked upon as in any way militating against your ability. I hope when you think the matter over you will decide to stay. I do not wish you to feel that staying as transitman will in any way prejudice my position here, and you can look at it merely from your own standpoint. In any event I would like you to project the line as far as you have run preliminary and send it into the office complete with report on same.

"Mr. Colladay is bringing a voucher in your favour with him amounting to $250. Will you kindly sign this voucher over to Mr. Colladay for his use and the other $250 can be sent directly to me.

"Yours truly,

"G. A. KYLE, Division Engineer."

Q. Was Mr. Heckman in charge of the party at that time? A. Yes.

Q. "As mentioned to you in my letter of a few days ago there has been such a cry raised about placing relations in permanent positions."

Q. So that was the reason why you did not wish to place Mr. Heckman in charge at that time? A. It was never intended that he should be in charge there, he was transitman and was in charge during bad weather.

Q. Now on the 26th April, 1904, you wrote to Mr. Chamberlin, of Idaho, and in it advised him to write to Van Arsdol? A. I simply wrote him a friendly letter.

Q. But that was not carrying out your policy? A. There was nothing for him in my division.

Q. That surely would be a reason for your not recommending him to another division engineer on the same line.

Q. Have you got a letter from Van Arsdol of the 21st April containing information in regard to Cotton and Read? A. I do not know.

Q. I would like to get that if I could? A. I am not in a position to get it.

Q. You are not in a position to get it, who is? A. I do not know who my successor is.

Q. You have resigned your position as division engineer? A. Yes, sir.

Q. Has Mr. Hays accepted it? A. No, sir. When Mr. Stephens accepts it that is enough.

Q. Has Mr. Stephens accepted it? A. Yes.

Q. Now where did you employ Mr. Baxter? A. Mr. Baxter came to Winnipeg. I did not know he was coming until he came to the office. I did not send for him.

Q. Where did he come from? A. Tacoma. As a matter of fact Mr. Heckman sent for him. I did not know he was coming.

Q. This letter states that fact. Is he an American citizen? A. I don't know.

Q. How old is he? A. About 23 years old.

Q. I suppose he has voted? A. His father was a British subject when he was in the States.

Q. Has he taken out his papers, do you know? A. I cannot say.

Q. You cannot dispose of that I suppose, he always lived in the States? A. I cannot tell.

Q. Your letter to Colladay about him reads:

"Winnipeg, May 11th, 1904.

"Mr. W. E. Colladay,
"Touchwood Hills, Man.,

"Dear Sir,—This will introduce to you Mr. J. C. Baxter who has been hired according to the understanding you had with Mr. Heckman when he left.

"I understand that Mr. Hicks is not a first-class transitman and as I know Mr. Baxter is a very good one you may think it advisable to make a change. I assume that you had this understanding with Mr. Heckman when he left.

"Yours truly,
"G. A. KYLE, Division Engineer."

"P.S.—His salary will be $100 per month and expenses after arrival at Qu' Appelle or from the 12th instant. G. A. K."

Q. What was that understanding? A. Mr. Heckman sent for Baxter and it was understood that when he left Mr. Baxter was coming, but I did not know that at the time.

Q. Who is W. C. Campbell, assistant topographer, that you sent out to Mr. Kelliher? A. Campbell—I don't know.

Q. This is the letter you wrote to Mr. Kelliher:

"Winnipeg, May 12th, 1904.

"Mr. B. B. Kelliher,
"Assistant Engineer,
"Birtle, Man.

"Dear Sir,—This will introduce to you Mr. W. C. Campbell whom I hired to go out with another party as assistant topographer but afterwards found that other arrangements had been made. Will you kindly add him to your party in some capacity as it will only be a few days until you will want to fill your party for preliminary work. His time and expenses will begin upon his arrival at Millwood.

Yours truly,
"G. A. KYLE, Division Engineer."

A. That was in Winnipeg.

Q. He belongs to Winnipeg? A. Yes.

Q. A British subject? A. I think so.

Q. But you do not know whether he is or not? A. My impression is that he is.

Q. Now on the 23rd May, 1904, you wrote to Mr. Frank H. Pingry:

"Winnipeg, May 23rd, 1904.

"Mr. Frank K. Pingry,
"1904 Hawthorne Avenue,
"Minneapolis, Minn.

"Dear Sir,—I have your letter of the 12th inst., making application for a position on the Grand Trunk Pacific. I am sorry to say that at present there is nothing in my division that I can offer you as all the parties are in the field and we do not anticipate sending any others. However, later on when construction begins there will be openings for quite a number of engineers.

"Your references are very satisfactory and should a vacancy occur will bear you in mind.

"I would advise you to write to Mr. C. C. Van Arsdol, division engineer, Edmonton, N. W. T., and Mr. G. A. Knowlton, division engineer, North Bay, Ont.

Yours truly,
"G. A. KYLE, Division Engineer.

Q. You wrote to Mr. A. G. Allan, at Birtle, Man., on the 30th May, 1904, about Mr. Chester H. Payne:

"Winnipeg, May 30th, 1904.

"Mr. A. G. Allan,
"Assistant Engineer,
"Birtle, Man.,

"Dear Sir,—This will introduce to you Mr. Chester H. Payne, the young man of whom I spoke to you before you left.

"You can put him at whatever you think best. Mr. Payne intends to stay only until the end of September. His time and expenses will start from the day he reaches Foxwarren.

Yours truly,
"G. A. KYLE, Division Engineer."

"P.S.—Mr. Payne is the son of the secretary of railways at Ottawa. His salary will be $40 per month. G.A.K."

Q. Do you know Mr. Colladay's writing, Mr. Kyle? Is that his signature? A. I am not clear about that.

By Mr. CAMERON: Q. Mr. Goddard said something about Mr. Fairchild rooming with you? A. I do not remember anything about Mr. Fairchild rooming with me.

Q. Is it a fact? A. I do not know that it is. I am sure that he did not room with me.

Q. On one or two occasions he spoke about Americans rooming with you? A. On one or two occasions on the first night after their arrival they stayed in the room with me.

Q. Until you could put them up? A. Yes.

Q. Accommodation was scarce? A. Yes.

By Mr. MOWAT: Permit me to say a word in regard to Mr. Kyle's resignation. As he has put in his resignation as a result of this investigation I think it only proper for me to say that the Commissioner and myself, on behalf of the Government of Canada, have had no personal feelings in the matter and have only been doing our duty and seeing that the law is enforced. I regard Mr. Kyle as a victim of circumstances and for one I would not regard his actions as impugning his ability to fill the position which he occupied.

THE COMMISSIONER to Mr. BACON: There was just one question Mr. Bacon. Have you done any work as hydrographic engineer at Thunder Bay? A. Oh, yes.

Q. I was not certain whether you said so? A. Oh, yes.

Q. That is distinct from civil engineering? A. It is a branch of civil engineering. It is somewhat different from railway engineering.

Q. Civil engineering covers all these branches? A. Yes.

Meeting at Winnipeg, 9th June, 1904.
At Court House, 10 a. m.

The Commission resumes:

Present: HIS HONOUR JUDGE WINCHESTER, Commissioner,
" H. M. MOWAT, Esq., K.C., representing the Government.
" HON. J. D. CAMERON, K.C., representing Grand Trunk Pacific.

Mr. GEORGE L. GRIFFITH, being sworn:

THE COMMISSIONER: What is your name in full? A. George Lewis Griffith.

Mr. MOWAT: I am calling Mr. Griffith as an engineer who is acting in some public capacity, being Secretary of the Dominion Institute of Amalgamated Engineering. In view of the subsequent questions which I have to ask him I wish to put in extracts from the papers comprised in a return asked for in Parliament on the 9th May, 1904. The first is a petition from the Dominion Institute of Amalgamated Engineering, sent in by Mr. Griffith as Provincial Secretary, two of the clauses of which are as follows:—

"That your petitioners had every reason to believe that, being Canadian citizens and British subjects, they would be able as such, to secure employment on the construction of the said railway.

"That your petitioners have not been and are not able to secure such employment."

Q. You are Provincial Secretary of this Institute? A. Yes.

Q. That petition was referred to Mr. Hays, the Manager of the Grand Trunk Railway, the executive officer of the Grand Trunk Pacific, as appears in the return, by the Minister of Railways and Canals to whom it was addressed, on the 21st March, 1904. In a letter from the Minister of Labour dated the 3rd of May the following appears:

"The construction of the Grand Trunk Pacific is an undertaking of the first national importance, and its national purpose should be kept constantly in view. It is to be expected that settlement and colonization will accompany the construction and development of the new road, and necessary work in connection with the construction should be used in every way to further this very desirable end. Nothing could more effectively defeat this purpose than the employment by the Grand Trunk Pacific of citizens of another country, whose interest in Canada is not an abiding one and who may be expected to leave the country as soon as the occasion of their temporary employment is at an end."

In another letter from Sir William Mulock, the Minister of Labour to Mr. Hays, dated the 9th May, 1904, he say:—

"It is the policy of the Government to protect Canadian labour in connection with public works, or works like the Grand Trunk Pacific Railway, aided by guarantee or grant of public moneys, and it seems to me that a recognition of this policy at this date might obviate more serious trouble later on."

Q. Are you the Secretary of the Dominion Institute of Amalgamated Engineering? A. Provincial Secretary.

Q. For what district? A. Manitoba, the North-West Territories and British Columbia.

Q. Are you a civil engineer? A. Yes, sir.

Q. Will you kindly let us know your standing and experience, have you been in charge of parties? A. I was in charge as principal assistant engineer under Mr. Webster, chief engineer, and also at that time commissioner of the Manitoba Northwestern Railway, which had a land grant of 2,000,000 or 3,000,000 acres of land.

Q. That railway runs from Portage La Prairie northwesterly? A. With branches.

Q. What are your duties briefly speaking in this office of secretary of this Institute of Amalgamated Engineering, do you keep a list of men available for employment? A. Yes, sir.

Q. Have you a knowledge of the number of engineers in Manitoba, the North-West Territories and British Columbia? A. Yes, sir.

Q. Have you a knowledge of their work? A. Yes, sir.

Q. Is it part of your duty to keep in touch with their work and their experience? A. Well not part of my duty to get a knowledge of their work and experience, but when they join the society they give a concise account of their experience, what we might call a resumé.

Q. Which you keep on record for the purpose of reference? A. Yes, sir. It is kept by our general secretary at Kingston.

Q. What is his name? A. Professor Robert Carr-Harris.

Q. A civil engineer? A. Has been until lately. For 23 years previous he was professor of civil engineering at the Royal Military College.

Q. He is now on the Queen's University staff? A. Yes.

Q. Then it is a fact that you were engaged on railroad work on the C. P. R. main line? A. Between Rat Portage and Fort William, that was for the proposed double track.

Q. Now as secretary, I see it signed by you as such, had you to do with the drawing up of this petition? A. Yes, I had.

Q. Now keeping in mind the extracts which I have given, do you say that the Canadian engineers have been discriminated against by the Grand Trunk Pacific? A. The facts are those set forth in the petition.

Q. Have you personal knowledge of this discrimination mentioned in the petition? A. Well in this way, sir, that so many have applied to the Grand Trunk Pacific, that is Canadians and British subjects, and have failed to secure employment, whereas Americans have been continuously brought over here.

Q. Since the commencement of the surveys and engineering work on the Grand Trunk Pacific can you mention engineers of prominence and reputation who have been available for employment? A. Yes, sir, I have a note of just a few names. H. Talbot, formerly of Winnipeg, now of Yorkton, Silas Carroll, of Prince Albert—

By Mr. CAMERON: If these men are available they should have applied. A. I understand that they have all made application.

By THE COMMISSIONER: You know to your knowledge that these men have applied? A. Yes, I understand they have.

By Mr. MOWAT: What about Mr. Robert Fowler, what is his status in the profession? A. Well, Robert Fowler as distribution engineer on the C. P. R., has carried out extensive location and construction on the Great Northern Railway, in fact the south branch through Minnesota was constructed and located under his supervision.

Q. The Canadian Northern? A. Yes.

Q. Where is he employed? A. He has just got employment in the C. P. R. as resident engineer in charge of sub-way works.

Q. In Winnipeg? A. Yes.

Q. Do you know how long he was available before that? A. For nearly a year.

Q. Previous to getting his present position? A. Yes.

Q. Do you know Mr. Gerald Law? A. Yes.

Q. Is he a civil engineer. A. Yes.

Q. What is his record? A. Well he is thoroughly qualified. He was resident engineer in the 23rd district chief's office at Regina on the C. P. R. until last year, last fall, he is now out of employment, has been since that date.

By Mr. CAMERON: Until what time was he with the C. P. R.? A. I am not positive about the month, sometime in the fall.

By Mr. MOWAT: What are his training and achievements? A. He is a graduate of McGill University and he has been employed under the Government in the West Indies prior to employment with the C. P. R.

Q. Is he capable of taking a position as division or chief engineer in your opinion? A. Well, I would not like to say that. He is a young man, probably about 30, and is eminently qualified to take charge of location or construction work.

Q. Do you know Mr. John A. Macdonnell? A. Yes.

Q. Is he a civil engineer and surveyor? A. Yes, he was chief engineer for the late Provincial Government and before that for the western branch of the C. P. R., and a contractor of section B. of the C. P. R. during construction.

Q. Does his work include location as well as construction and maintenance of way? A. No, when he was first employed he was chief of the commissariat but after that he went on to surveys, location and construction.

Q. Has he been available for employment on this railway? A. Well, he would not accept a subordinate position, he is a man eminently qualified as a division or chief engineer.

Q. Has he been out of employment? A. Yes.

Q. How long? A. One year.

Q. Do you know Mr. Edmund Ballard? A. I know Mr. Edmund Ballard, of Lethbridge, N. W. T.

Q. I notice an application from him for employment, do you know his standing? A. He has been here for some years, he is thoroughly qualified as a civil engineer and a good surveyor.

Q. I notice an application from Mr. A. D. McRae, of Kingston? A. Yes.

Q. What is his status? A. Well, he is a graduate under Professor Carr-Harris, has been engaged on several railways in Canada, I think on Quebec railways and also on the C. P. R.

Q. Do you know Mr. Thomas Turnbull? A. Yes.

Q. Is he a civil engineer and surveyor? A. Yes.

Q. What is his status and what are his achievements? A. He has been chief engineer of the C. P. R. and was engaged also in the Rocky Mountains for them. This man I would say speaking from memory had 25 years experience on location and construction work. Of course he would be hardly suitable for a subordinate position. He is a man qualified for the position of division engineer, eminently qualified.

Q. Do you know whether he has been available? A. He has been available, he has temporary employment under the Dominion Government as superintendent of surveys.

Q. Was he without occupation? A. Yes, a part of last year, but I do not know how long.

Q. Do you know Mr. Cecil B. Smith, now of the Canadian Niagara Power Company? A. I do very well.

Q. What is his status and what have been his achievements? A. He was engaged upon the C. P. R. for many years, and was principal assistant to Mr. Peterson, chief engineer of the C .P. R. An university graduate and also assistant professor of civil engineering at McGill. For a young man I would say he is one of the best engineers we have in Canada to-day without exception. He has written and published the best hand-book that we have for railway construction. I will hand it to you. (Hands book to Commissioner.)

By Mr. CAMERON: Evidence of this kind is most unsatisfactory, the witness is not an expert in engineering and cannot give evidence as to their qualifications, without calling on them themselves.

THE COMMISSIONER: I intend to call Mr. Smith. He was mentioned by Mr. Stephens as refusing his offer. We require the evidence of engineers who know personally as to his qualifications as Mr. Kyle tried to get evidence as to Mr. Woodman just for this purpose.

Mr. CAMERON: There was difficulty in Mr. Sullivan's case owing to a difference of opinion between Mr. Sullivan and Mr. Woodman. There is no doubt that a difference of opinion may exist, may be perfectly legitimate and at the same time be founded on very insufficient foundation, but granted that this evidence may be admissible how are we to lay the foundations as to the propriety and justice of Mr. Griffith's conclusions.

THE COMMISSIONER: He is merely an expert giving his knowledge as to men who are in that profession and I wish to get evidence as to the ability of these Canadian engineers as compared with that of those who have been appointed.

Mr. CAMERON: I am quite aware that in an enquiry of this kind the rules are given a most liberal construction. If this enquiry was constituted as a court I would submit that this evidence would be inadmissible and in fact that a court of law would not consider it and an enquiry of this kind detracts from its weight. Mr. Griffith may have this opinion as to these men, any other man may have an entirely different view.

THE COMMISSIONER: The enquiry is into the appointment of so-called alien labour to the exclusion of Canadians, and it is absolutely necessary to prove that there are Canadians available for the positions which have been filled by Americans.

Mr. CAMERON: Well, Your Honour will just note that I have laid a general objection to evidence of this class as it is going to be very difficult to get the evidence of experts.

Mr. MOWAT: I submit that the purview of the Commission goes as far as this, we should see that Canadian engineers who are reputable and of high reputation should not be prejudiced by this action. I am therefore going to ask this question of the witness: Does he know to his own knowledge that the rules in the adjacent country preclude Canadians from getting positions in the States?

THE COMMISSIONER: We do not care for that, it does not really make any difference.

Mr. MOWAT: I feel I must press that question. I am informed that there is no question about it that in the different governments, either State or Federal in the United States it is necessary before an engineer is employed that he become an American citizen and I have also reason to believe that witness can give personal evidence as to that.

THE COMMISSIONER: I have nothing to do with that, I am limited to find out what has been done on this road with reference to our own law--

By Mr. MOWAT to Mr. GRIFFITH: What is your experience? A. That he cannot be employed by any municipal authority.

Q. Your personal experience? A. Yes, sir, I applied for a position on the Northern Pacific to Mr. McKenzie, who was chief engineer. I was offered a position, but it was conditional on the fact that I become an American citizen.

Q. How long ago? A. That was in the early part of 1900 or 1901, I am not quite sure about it.

THE COMMISSIONER: Did you carry out the condition? A. No, sir.

By Mr. MOWAT: Well, what is your personal experience with this company, being an engineer of the qualifications you have told us, did you apply to the Grand Trunk Pacific for employment? A. I applied to the Grand Trunk Pacific for employment.

Q. When did you apply? A. In December, 1902.

Q. That was before this transcontinental line was projected? A. Before we knew anything about it.

Q. To whom did you apply? A. To Joseph Hobson, chief engineer.

Q. Did nothing come of that application? A. Well, I received a reply in January acknowledging receipt of my letter and informing me that my application was filed for record.

Q. Did you apply again? A. Yes, sir, I applied again.

Q. When and where? A. In April of 1903, it came to my knowledge that a gentleman had come to Winnipeg to start surveys for the Grand Trunk Pacific, then I wrote again.

Q. Who was that gentleman? A. I saw a paragraph in the paper with Mr. Kyle's name.

Q. You applied to him? A. To the Grand Trunk Company in Montreal.

Q. In April? A. Yes.

Q. Did you hear anything of it? A. I did not get any reply.

Q. Did you get no reply? A. Not to that application.

Q. I understand you were appointed, however? A. I wrote again and some friends also wrote on my behalf.

Q. When? A. In the early part of June last year. I heard nothing even in regard to that, then some time later, a week or two, I saw an account or two that survey parties were going out and called upon Mr. Kyle and made enquiry as to who was appointing division and assistant engineers and was informed by Mr. Kyle that they were supplied from Montreal. Then on the 13th June Mr. Kyle left a note at my office, I was out at the time, asking me to call on him.

Q. In April, 1903, what were you doing? A. I was in general practice in the City of Winnipeg.

Q. The easiest way I can do is to refer to some letters you put in my hand this morning. I see here one from Mr. F. T. Peacock, of Montreal, and also one from Mr. Harding from Cape Breton in which he states that you will be able to give much assistance as you have your own set of instruments, a complete outfit. Have you got a complete set of surveying instruments. A. Yes, sir.

Q. What value? A. In round value between $1,500 and $2,000.

Q. When did you hear from the Grand Trunk people or from Mr. Kyle? A. About the 13th or 15th June, I think the 13th.

Q. The 13th of June I see a letter to you from Mr. G. A. Kyle telling you to call at his office. What followed after that? A. I called at Mr. Kyle's office. He asked me if I was willing to accept an engagement from the Grand Trunk Pacific as he had received a wire from Montreal, at a salary of $175 and expenses and I said that was what I would like. He said you may consider yourself engaged and clear up the work you have in hand. That was my private work, I cleared up the greatest part of it in the following 10 days.

Q. Gave up your office? A. Well, that was understood, I was to give up the office just about that time as Mr. Kyle's office was formerly in the grain exchange and they paid the rental.

Q. They paid the rental? A. Yes, to do particular work in it.

Q. You had been doing their work? A. Yes.

Q. What work? A. General office work in connection with the preliminary plans and the general report on the road; that was in Mr. Kyle's division from Winnipeg east to Quebec and west to Edmonton.

Q. General work? A. General work in reference to plans and laying out of maps, projected or proposed trial lines.

Q. Did you have anything to do with the work of engineering? A. No, only as regards the plans.

Q. Yes, looking over the plans. My recollection is that the head office checks over the work? A. Yes, the division engineer.

Q. And that was part of your work? A. Yes, part of my work.

Q. How long did that kind of employment continue? A. That lasted two months.

Q. Until September? A. Yes.

Q. Got on well with Mr. Kyle? A. First rate.

Q. Perfectly friendly relations? A. Yes.

Q. What was the number of men in the office at that time? A. Well, at that time there was only Mr. Kyle and Mr. McDonald, his chief clerk. Shortly afterwards, after I commenced the work, I think within a week or so, Mr. Goodman, draughtsman, came.

Q. Was Mr. Allan brought then? A. No.

Q. When did he come? A. The first time I saw Mr. Allan was last Christmas, two or three days before Christmas.

Q. Your position was somewhat uncertain as to what it finally would be? A. Yes, Mr. Kyle wished me to assist him with the work at the start pending the arrival of Mr. Stephens from the east.

Q. Did he come? A. He arrived about the 12th or 15th of August.

Q. Did he give you a definite position? A. Well no, I understood that Mr. Kyle was going to talk with Mr. Stephens as to what my position was to be, but at that time Mr. Van Arsdol turned up and Mr. Jones.

Q. R. W. Jones? A. Yes, they are out west. Mr. Kyle then told me that Mr. Stephens wished me to take out a party in a westerly direction from the Manitoba Northwestern. I had made some preparations but Mr. Mann turned up and Mr. Kyle wished me to give up the idea I had of going out, letting Mr. Mann take charge of the party. He thought I would be of more service to him in the office being familiar with the records and with the officers of the Public Works Department, the Provincial, railway and land offices. Especially as my family resided in town he thought it would be better for me to abandon the idea of going out. I agreed and went along in that way until September.

Q. Any change then in the nature of your work? A. Well in September, the early part of September, Mr. Kyle told me that he wished me to go out on the eastern section and just take a general look at the country between Dinormic and Lac Seul.

Q. That is general reconnaissance work? A. Yes, and to report as to timber available for railway purposes.

Q. You understood, Mr. Griffith, that you were their confidential officer and they did not want you to give any information? A. No account that would embarass the company.

Q. Did you equip yourself for that reconnaissance work? A. Yes, Mr. Kyle gave me instructions to take out the necessary equipment.

Q. Who supplied you? A. Mr. McDonald, chief clerk, who was then in charge.

Q. Where did you buy? A. On proper requisition they were bought at the H. B. Co. stores.

Q. Everything necessary for that class of work, canoe men, necessary provisions, tent, stove, a complete equipment and you started out? A. I started out.

Q. Was this equipment necessary? A. Absolutely necessary.

Q. What was the size of your party? A. On that trip I think it was six men, to the best of my belief.

Q. How long were you out? A. Well it was Mr. Kyle's wishes that I should report monthly.

Q. What was the nature of the country you were in? A. We had to follow the canoe route. The country itself is very much broken.

Q. I see you took tree climbers with you? A. It was impossible to get an idea of the country except by going up high knolls and climbing the highest tree, using these tree climbers or very light rope ladders such as used in Dominion land surveys .

Q. When you finished that you came in? A. Yes.

Q. What was your employment after that? A. Mr. Kyle wished me to go out again at that time north of Lac Seul to follow the English River and the streams running into it.

Q. What was the size of your party the second time? A. About 10 men.

Q. When did you next hear from Mr. Kyle? A. Well, I went on the trip. There were arrangements made by Mr. McDonald that provisions were to follow us from Dinormic, sufficient for one month and then provisions would be sent after us so we could get sufficient provisions for the cache already supplied near Lac Seul in which there was supposed to be a six months supply. These provisions from Winnipeg did not arrive in time and we had to go along without them, so when I got to Lac Seul I went to the cache and found there was no provisions in it. This cache was supposed to have six months provisions for a full party with the necessary dog feed and I had a letter from Mr. Kyle to get the necessary food for my dogs when I arrived there.

Q. This stopped your progress? A. Yes, I was compelled owing to severe weather to send a messenger to Dinormic and inform Mr. Kyle.

Q. When did you hear then? A. I wired stating that I would be compelled to abandon operations on account of dog teams. I had no dog teams when I came out. I suppose that Mr. Kyle was away and did not know this cache was empty. My messenger received a wire in reply to mine asking him to wait for a letter which was received on the train.

Q. Then another letter of the same date was received:

"Winnipeg, December 6th, 1904.

"Mr. G. L. Griffith,

"Dear Sir,—It has been decided to discontinue the work you are at for the winter. . . . . Report in Winnipeg as soon as possible."

Q. Then you returned after receipt of that letter? A. Yes, I carried out instructions.

Q. I suppose you had been late in going out. What do you say, as an engineer, would have been a reasonable time to do that work? A. To go through that country working westward from the foot of the Mattawa River I had a distance of 150 or 180 miles through dense bush and timber in the direction that I was supposed to go in, crossing of the streams that flowed into Lac Seul and English River. Therefore I would be unable to use canoes for part of the way as I would be about 60 miles between English River and

Lac Seul in following the line westward that Mr. Kyle had stated. It was absolutely necessary to go right through the timber.

Q. How long would it have taken you to do the work efficiently? A. Well, including the shore line of Lac Seul and working to the west would take me with a party twice the size I had, five or six months.

Q. We will go back a little, I asked you how long after the 3rd November, on the second trip, you next heard from Mr .Kyle and I find here a letter dated November 7th. Do you remember getting that? A. Yes that followed me up.

Q. That was written four days after you had left? A. No, sir, it was evidently written the day before I left, I knew nothing about it.

By THE COMMISSIONER: Before you left Winnipeg, when did you get it? A. It was mailed in Winnipeg after I left and of course there was no means of its reaching me.

Q. The date is November 7th, I understood you to say you left on the 3rd? A. I think, sir, I left on the 7th, I am not really positive. I know that letter was written on the day I left or the day before, but I knew nothing about it.

Q. Had Mr. Kyle any objections to the charge as to buying of this binocular camera, or rope ladder? A. Not with regard to the binocular camera but he did show me a letter from Mr. Stephens in regard to the rope ladder, that was all. I might say that he followed that by saying that he would put the account through.

Q. You had got them through his chief clerk? A. Yes.

Q. There was no trouble in getting these? A. No, I handed over Mr. Kyle's requisition filled in by Mr. McDonald.

Q. I see a letter from Mr. Kyle to you of the 4th December, 1903, acknowledging receipt of your letter of the 23rd November. with monthly pay roll and inventory. This letter states: "The map you mention has been received. I have not received any maps from Ottawa as you suggest might be the case. I will send you blue print of the tracing which you have sent in of the country in the vicinity of Lac Seul which you will likely need."

Q. Before getting that had you succeeded in getting maps referred to in letter of November 7th? A. There was no accurate maps of that country. The country was unexplored. It was absolutely a new country. The maps that were in existence were worse than useless, they were deceptive. The Ontario Government maps were prepared by the surveyor-general at Ottawa who sent out circulars to Hudson Bay posts asking them to prepare the topography of the country in the vicinity of their posts from information supplied by the Indians.

Q. Did you often have to correct mistakes in the Hudson Bay maps? A. Yes, sir.

Q. In the letter of the 4th December, which I mentioned a moment ago, Mr. Kyle says:

"I again want to call your attention to the fact that we do not want to make an instrumental survey of the country, and that all that is expected of you is simply to look over the country using the existing maps for showing the approximate location of the line. It should not take you over a month to complete your part of the work in this manner."

Q. What do you say as to the time limit mentioned? A. I think it is absurd. You could not get through in that time. It would have been necessary to send out staffs three or four months ahead and establish caches at the waters where I would have to cross. That would have taken 3 or 4

months at least, with 20 packers and equipment. There are no roads, no trails, no nothing but dense forest.

Q. Mr. Kyle's letter would seem to indicate a want of knowledge about the nature of that country? A. Well, I think Mr. Kyle did not just understand just how difficult a country it was, but treated me always very well.

Q. Somebody understood from your observations that you had been taken in? A. There was no observation made at the office, perhaps something of that kind was said—

Q. You are not prepared to say that such an observation was made? A. Well, upon one occasion very shortly after I was engaged, at the time Mr. Van Arsdol and Mr. Jones turned up I overheard in the office or somewhere else, a remark of that kind.

Q. It is a fact that you accidentally overheard some conversation which was not intended for you? A. Yes, not intended for me to hear.

Q. And you never had employment since? A. No, sir.

Q. I see that Mr. Hays said in his letter that you were laid off because there was nothing further to do? A. That is what Mr. Kyle told me.

Q. And no objection made to your work? A. No, sir.

Q. And your relations with Mr. Kyle were friendly? A Yes, up to the time I left.

Q. Is there anything else you wish to say in regard to your personal experience? A. No, not that I can just recall.

Q. Then I took you as an expert engineer and I want you to state your opinion as to the advantages to a company such as this, relative advantage in employing engineers who are familiar with the actual topography of the country to be surveyed, etc.? A. Well, of course it is certainly of great advantage to employ men who are acquainted with local topography, for instance, take the work west from Winnipeg to Edmonton, as you are probably aware the country is divided into three sections, Manitoba being the bed of post glacial period the western boundary following practically the lower shore of Lake Agassiz, great difficulty in going west about 500 miles, the difficulty is increased after that in climbing an escarpment. In going west you strike the Assiniboine Valley, the greater Assiniboine flats in a southerly direction almost parallel with the escarpment and as it turns out from the glacier stream the valley falling from a mile to three miles in width the Assiniboine being only 300 feet wide, this valley being too wide to bridge, you have again to drop down into that valley which is almost level with the Manitoba bed.

Then there is the difference insofar as instruments go in the American and Canadian systems. Conditions in the making of preliminary surveys are different. In the United States they use the compass, the railway compass, for location, in this country we are forbidden to use this under the Dominion railway acts and instructions of the Dominion Surveyor-General of land surveys, owing particularly to the fact that the whole of that country north of the C. P. R., and east of Winnipeg is broken into local areas of magnetic disturbance, some half a mile, or a mile or two in diameter to others 20 or 25 miles in diameter. So that if you run any of these lines with the compass you have to reduce the bearings for the normal deflection at the north end many of these places where the magnetic disturbances vary greatly, as much as 65 per cent.

Q. Can you not discover the causes of this magnetic disturbance? A. There is nothing actually on the surface that would show this. In the Report of the survey and exploration of Northern Ontario published in 1900, describing the country around Lake St. Joseph the report says:—"At about

eleven miles is the contact with the Huronion where phyllites, striking north 76 degrees east and dipping 80 north 14 west outcrop. These become hornblendic carrying lenses of quartz. At 16 miles chlorite on hornblende schist occur along the shore. An area of great magnetic variation extends for 10 miles down the schist; no apparent cause was found as the adjoining schist showed no trace of magnetite. At one point the variation was 65 degrees. These green schists with a little diorite extend for about 20 miles along the southern shore; in places they show very weathered surfaces, and near the contact become sericite. The eastern end of the schist area shows few exposures along a boulder-covered shore, till at 33 miles a greenish granite rock is seen becoming a fine grey gneiss, which at forty miles turn to the darker variety, that soon gives place to the more granitic with inclusions of dark mica gneiss."

Q. Surveyors must depend upon their own observations? A. Yes.

Q. With what instruments? A. Well, we have an instrument which we use, a special variation plate attached to the transit whereby you can easily check any unusual deflection of the needle from its normal course. The variation plate is steady at the normal deflection of the needle.

Q. The practice in Canada renders this necessary? A. Absolutely necessary.

Q. Is there a difference between northern and southern Canada? A. There is nothing of this kind south. I notice also in this Ontario report on exploration of Northern Ontario, 1900, the following rules laid down:—

"The land surveyor will be expected to provide himself with the following instruments, viz: A theodolite, a pocket sextant with artificial horizon, a steel tape and pins, a compass with Jacob's staff, a micrometer and the usual plotting instruments.

"The following articles are furnished by the Department. A Kay Taffrail Log complete, and ruled field books in which the details of the work are to be entered each evening to a scale; an aneroid barometer; a camera with films wherewith to take views to illustrate the nature of the country, or of waterfalls, or any natural object which may give an idea of the resources of the country; a tin box to carry field books and drawing materials; a tin case for preserving pressed specimens of the flora of the country; besides tents, canoes and packstraps. These instruments and properties will be returned or accounted for at the close of the season's operations."

Q. Were all these things supplied by Mr. Kyle to surveyors? A. I took up a field glass, but it was deducted from my salary.

Q. You had to pay for this yourself? A. Yes, and tree climbers also mentioned there. The tree climber was not deducted from the salary.

Q. In your opinion the engineer's equipment from headquarters was not complete? A. Not in my case.

Q. Do you know of the equipment in other cases? A. I don't know.

Q. You yourself are the inventor of a transit, Mr. Griffith? A. Yes.

Q. I see an advertisement in this pamphlet or catalogue of mining, surveying and other instruments, John Davis & Son (Derby, Ld.) Canada Life Building, Montreal, a combined transit and level, Cable code "Roughshod" specification by Mr. G. L. Griffith, of Winnipeg. Is this your one? A. Yes, sir.

Q. Have you anything to say as to that. It is necessary to know these things of which you can give an expert explanation? A. Well, the British manufacturers of surveying instruments became somewhat alarmed in 1898, about the time friends Kyle and Stephens were in South Africa and asked several colonial gentlemen in Canada and South Africa to suggest any im-

provement to the English theodolite that would make it more useful in the colonies and offered a prize for that purpose and I was one who went in for the competition.

Q. How many competitors? A. I cannot say, there were about six in Canada, two or three university men and one from the Military College.

Q. Details were given as to what kind of instrument was required? A. Yes, an instrument that would stand the excessive variations in the temperature from 30 below to 120 above and that all parts should be water tight and dust proof.

Q. You won, you ran the race and won the prize? A. Yes, and on that same subject I quote from Searles' Field Engineering, paragraph 7: "The instruments required on an extended reconnaissance are the barometer and thermometer, the hand or Lock level, a pocket or prismatic compass, and a telescope or strong field glass. To these may be added a telemeter for measuring distances at sight, but when good maps are to be had this instrument is seldom needed. So also some portable astronomical instruments are necessary in a new country, for determining latitude and longitude, but would only be a useful incumbrance in a settled district."

Q. Then I think you said you were employed in the office to check over the work that had been sent in by the engineers in the field? A. Yes, sir.

Q. Have you any observations to make as to the correctness of that work performed by these gentlemen who are citizens of the States? A. I do not wish to say anything against anybody only that the plans might be accurate if executed by Canadians familiar with the country.

Q. While making no discrimination a man has a distinct advantage if he has a knowledge of local conditions? A. Exactly, I would say. A mistake might be made with sections marked on the American style, that is running from north to south instead of from south to north.

Q. Mr. Kyle stated that a serious error might occur if they did not check, give us your opinion what the result might be? A. The result might be very bad, in a man taking notes supposing he struck a corner post and found the number of that section and he took that corner to be section 3 American system. If he did this instead of calling it section 3 of the Canadian system it would make a difference of five miles in the township.

Q. That is No. 3 according to American plan should be north and No. 3 Canadian south? A. Yes, and then had left the field notes until his attention was called to the plan I think there would be a very serious error. Of course this is an exaggerated case.

Q. Has this occurred in any instance? A. Yes.

Q. This mistake actually occurred, to your knowledge? A. Yes, sir.

By Mr. CAMERON: With reference to the mistake in the numbering of sections in a township in whose case did it happen? A. In the case of Mr. Allan.

Q. The line as laid down by him was finally adjusted, was it not? A. Well undoubtedly it was finally adjusted.

Q. What is this Society of Amalgamated Engineering, I am simply asking for information? A. Well, it was a society formed in 1898.

Q. Composed of whom? The original promoters of it were professional engineers? A. Yes, and a few members of the Canadian Society of Civil Engineers and some outsiders.

Q. It now includes how many members? A. Well, I have not got the latest report, I would say in round numbers about 2,000.

Q. It includes then a large proportion of the engineers within the Dominion of Canada? A. Well, it contains a great majority of the Canadian Society of Civil Engineers, that is civil engineers.

Q. Not all? A. No, sir, not all.

Q. 60 per cent, you will say? A. I think more than that.

Q. What are the relations between the Amalgamated Society and the Canadian Society? A. Between the two bodies?

Q. Yes? A. They are quite friendly.

Q. Are they affiliated? A. No, sir, but they intend to affiliate.

Q. Who intends? A. The members of the Dominion Institute of the—

Q. Of the Amalgamated Society intends to? A. Yes, sir, the object in the first place was to be affiliated with the Canadian society in Montreal.

Q. Has the Canadian society agreed as far as you know to affiliate? A. Well not officially so far.

Q. Have they refused so far? A. No application has been made.

Q. Has not that society shown an unwillingness to affiliate? A. Well, we have made no offer. We have been waiting until our members are ready to vote on the matter.

Q. If there was any opposition you intend to vote? A. Yes.

Q. You have discovered no objections? A. No, sir. In the first place I might tell you that originally the Canadian Society were civil engineers, pure and simple and they declined, the same as the American society of civil engineers, to take in mechanical and electrical engineers and we decided to take them in, but at the last session of the Canadian Society they have agreed to have a section of electrical and mechanical engineering.

Q. In the meantime, however, there has been no affiliation so far? A. No, sir.

Q. The two societies are entirely separate? A. Entirely separate.

Q. The Canadian society is very much older? A. Certainly the oldest society in Canada.

Q. Out of the 2,000 members of the Amalgamated Society how many are civil engineers? A. I cannot speak absolutely at present of the exact number, but I think I would be safe in saying between 500 and 600.

Q. Between 500 and 600, what is the total membership of the Canadian Society? A. The total membership of the Canadian Society as far as I remember from the last list published by them, is about 1,000.

Q. You are a member of the Canadian Society? A. No, sir. I am a member of the Canadian Institute of Amalgamated Engineering.

Q. What are the qualifications necessary to become a member of that society? A. Exactly the same qualifications as are necessary to become a member o fthe Canadian Society, that is your application has to be signed by five members of the society, to become what is known as a senior member.

Q. What is the difference between a senior and a junior member? A. The junior must have served more than five years in the field, the senior one year more than that.

Q. Then it is necessary, in order to become a member, that an application should be endorsed by five members? A. Yes.

Q. In good standing? A. Yes.

Q. About mechanical and electrical engineers are the same qualifications necessary? A. Yes, in our society and they have been recognized by the Canadian Society at the last session.

Q. Are there any members of these callings who have become members of the Canadian Society? A. There are a few of them who practice as civil

engineers as well as mechanical engineers, like Mr. John Gough, of Ontario, he practices as a civil and mechanical engineer.

Mr. FRANCIS F. BUSTEED, being sworn:

By THE COMMISSIONER: What is your name in full? A. Francis F. Busteed.

By Mr. MOWAT: Mr. Busteed, this enquiry has been instituted by the Government to ascertain whether American engineers have been employed by the Grand Trunk Pacific when Canadian engineers are available. How long have you been an engineer in your profession? A. 25 years.

Q. What position do you occupy now? A. Assistant Chief Engineer on the C. P. R. on lines west of Port Arthur.

Q. I called you for the purpose of getting your views as an engineer familiar with other practitioners as to certain names. Do you know of Canadian engineers of capacity and reputation who were out of employment last March and would have been available for employment on this railway this spring? A. I do, Mr. John Irving, Vancouver, is one.

Q. Any others? A. J. A. Pilsworth, Kamloops, B. C.

Q. Any others? A. No, I do not know of any others who have been available last year.

Q. Here is a list of applicants, perhaps you may remember some of them? A. I know a few.

Q. Do you know Mr. H. W. D. Armstrong, of Ottawa? A. Yes.

Q. Capable man, occupied various positions? A. Yes.

Q. E. Berryman? A. Yes.

Q. C. E. Cartwright, Vancouver? A. Yes, he worked for me.

Q. Capable engineer? A. Capable engineer.

Q. Able to take one of the positions on the staff? Yes.

Q. C. F. Dibblee, Woodstock, do you know his work? A. I am personally acquainted with him and know his work.

Q. E. H. Drury, what do you say as to his work? A. I only know it from hearsay.

Q. D. O. Lewis? A. Oh, yes, I know Lewis.

Q. Has he done good work? A. Yes.

Q. Where is Lewis from? A. St. Thomas, I think.

Q. He is with Mackenzie and Mann now? A. Yes.

Q. There are some others here, Mr. Thomas Turnbull, he is well known? A. Yes.

Q. One of the heads of the profession? A. Yes.

Q. Robert Fowler? A. Yes, I know Fowler.

Q. Gerald Law? A. I don't know Law.

Q. C. B. Smith? A. I don't know him.

Q. It has been stated in evidence here before the Judge that there are quite a number of positions of division engineers worth $4,000, would they have been considered a prize by Canadian engineers, with your knowledge of their present emoluments? A. Certainly it would.

By THE COMMISSIONER: Would these men whose names you have given been capable of acting as division engineers? A. Not all of them.

Q. Whom? A. Mr. Cartwright, Mr. Fuller, Mr. Turnbull and Armstrong.

Q. Lewis? A. No, he is a younger man.

Q. Only as assistant engineer? A. He is capable of filling that position.

JAMES ARTHUR HESKETH, being sworn:

By THE COMMISSIONER: What is your name in full? A. James Arthur Hesketh.

By Mr. MOWAT: You were in the room when I explained to Mr. Busteed the nature of this enquiry and you have heard it? A. Yes, sir.

Q. Are you an engineer of some years standing? A. Since 1886.

Q. Graduate of the Royal Military College and now employed on C. P. R. at Winnipeg? A. Yes, sir.

Q. Are you in a position to tell us whether you knew any engineers during 1903, or lately, Canadian engineers, who would have been available for employment on the staff of the Grand Trunk Pacific? A. I can hardly answer that question without thinking over what is expected of me.

Q. It has been said that the position of division engineer is worth $4,000 and I think a district engineer is something like $2,400, would these salaries have been considered a prize in the engineering world? A. The $4,000 one would be a very good position.

Q. In fact you do not know of many men who would refuse it? A. Oh, no.

Q. Mr. Sullivan stated that he did not get that much and he has a very high position. A. I have been told that Mr. Sullivan gets more, I do not know.

Q. At any rate you say these are prizes? A. Yes.

Q. Do you know these gentlemen mentioned by Mr. Busteed? H. W. D. Armstrong? A. Yes.

Q. John Armstrong? A. No.

Q. Armour? A. I knew him in 1887 in charge of work for the C. P. R.

Q. Was his work good? A. Was in charge of location.

Q. Good enough to be in charge of location party? A. Yes.

Q. Mr. C. M. Arnold? A. I knew an Arnold in charge of construction, but I do not remember his initials

Q. Beaudry? A. No, sir.

Q. Berryman, is he a capable man? A. Getting a little old, but has had good positions.

Q. E. H. Drury? A. Yes.

Q. C. E. Cartwright? A. I have known him.

Q. B. D. McConnell? A. No.

Q. Mr. Malhiot? A. I know him personally, I do not know what position he holds.

Q. Mr. Thomas Turnbull? A. Yes.

Q. Stands high? A. Yes.

Q. Robert Fowler? A. Yes, he is employed on the subway.

Q. Did you know him last year, he was without employment? A. I do not know whether he was employed or not.

Q. C. B. Smith? A. He is at Niagara Falls.

Q. Are there any of these men capable of taking a high position on an engineering staff? A. Mr. H. W. D. Armstrong has been division engineer on the C P. R.: Drury has had the same position; Mr. Fowler, Mr. Turnbull, all these men are capable.

Q. And with your knowledge of remuneration given $4,000 a year would have tempted any one of them? A. I should say so.

B. B. KELLIHER being sworn:

THE COMMISSIONER: What is your name in full? A. Bartholomew B. Kelliher.

Q. How do you spell your name? A. K-e-l-l-i-h-e-r.

Q. You are a civil engineer? A. Yes, sir.

Q. What is your experience? A. Seventeen years.

Q. Where have you been practising your profession? A. The first year in Ireland; since then in the United States and Mexico, only a short time in Mexico.

Q. What was the line of railway on which you were employed in the United States? A. On the line known as the Denver North Western Pacific Railway, a line built from Denver to Salt Lake City.

Q. You were born in Ireland? A. Yes.

Q. That is where you commenced your profession? A. Yes.

Q. You are a graduate from? A. Dublin University.

Q. When did you arrive in America? A. In 1887.

Q. You have been in America ever since then, in the United States? A. Yes, and about three months in Mexico.

Q. When did you arrive in Canada? A. I arrived in Montreal on the 2nd January, 1904.

Q. From where? A. I came from Dallas, Texas.

Q. That is where you come from just now? A. Yes.

Q. What were you doing in December last? A. I resigned on the Denver road.

Q. On the——? A. I resigned on the Denver road and took a vacation.

Q. Why did you resign? A. I resigned in order to see if I could get employment on the Grand Trunk Pacific. That was an inducement, but the cause of it was I did not think I could get along any longer with the management of the line and anticipated a clash of some kind.

Q. What salary were you receiving? A. $250 a month and expenses.

Q. How long had you been with that road? A. Eight months.

Q. What inducements were there for you on the Grand Trunk Pacific? A. About the time the work when projected first started Mr. Stephens wrote me if I would consider a proposition to work for the Grand Trunk Pacific at $175 per month and I said no. I then decided to resign on the 1st of December and in view of the magnitude of the work in Canada as judged by notices published in the newspapers I was induced to come to Canada.

Q. Did you write to Mr. Stephens before coming to Canada? A. Yes, in December, telling him I would call and see him about January.

Q. Did he reply? A. He replied that he had nothing in view just then but would be glad to see me, and if an opportunity presented he would be glad to put me at work.

Q. Do you remember when? A. The latter part of January last, I am not clear about the date.

Q. How long had you known Mr. Stephens? A. I know Mr. Stephens since 1890.

Q. Were you on the same road as he was? A. Yes.

Q. The Northern Pacific or the Santa Fe? A. The Northern Pacific.

Q. What position had he there at that time? A. Mr. Stephens, when I knew him first, was acting as principal assistant engineer in charge of the western end of the Northern Pacific.

Q. What was your position? A. My position was known as resident engineer

Q. Were you his junior? A. Yes.

Q. Did you take out papers as an American citizen? A. No, sir.

Q. Have you ever done so? A. No, sir.

Q. Are you an American citizen? A. I am still a British subject.

Q. Now, what were you doing in Dallas, Texas? A. Just went for a trip.

Q. Before that were you living there? A. I never lived there.

Q. Where did you live when in the United States? A. In Tacoma, in Denver and in Salt Lake City.

Q. In these three States? A. Yes, Tacoma, Washington; Denver, Colorado, and Salt Lake City, Utah, and for six years in Pocatello, Idaho.

Q. This would be four places? A. They cover the longest period of residence. When engaged in field work we had no particular residence.

Q. Do you know what is necessary to become an American citizen? A. No.

Q. Never enquired? A. Never.

Q. So that if I inquired over there would the records let me know if you are an American citizen or not? A. I do not know.

Q. Did any one urge you to become an American citizen? A. No, I never had any occasion to become one, I never desired to change my nationality and during my stay in the United States I never found that my nationality nor religion made any difference nor interfered with my work.

Q. And you never voted? A. No, never.

Q. You must have known their politics? A. I was generally moving from place to place and did not take much interest in them.

Q. You were placed in charge of No. 10 party? A. Yes, sir.

Q. Who was your transitman there? A. Mr. Bull.

Q. When was he employed? A. He was employed about the end of January this year, when the party was being made up.

Q. Where did he come from? A. Winnipeg. I started from Winnipeg a week ahead of the party to meet Mr. Kyle.

Q. Where? A. At Langenberg, N. W. T.

Q. Mr. Bull came afterwards? A. About four or five days afterwards.

Q. Do you know what nationality he is? A. He told me he was a Canadian from Ontario.

Q. What part of Ontario? A. I do not know.

Q. Who was draughtsman there? A. Draughtsman, the first man's named J. A. Green.

Q. When was he appointed? A. About the middle of last month.

Q. The middle of May? A. Yes.

Q. Who appointed him? A. I did.

Q. Where did he come from? A. From the United States. He came from Salt Lake City.

Q. Did you know him over there? A. I have known him for about fifteen years.

Q. Is he a very good man? A. Yes, for the last two years that I know of he has been getting about $175 per month in charge of a locating party and for about five years as assistant engineer on the Union Pacific, which would have entitled him to a permanent position at $100 per month and expenses.

Q. That is on the Tacoma road? A. On the Oregon line, the western end of it.

Q. At Pocatello? A. Yes.

Q. Did you write him to come over? A. Yes, I wrote him somewhere about the 10th or 15th of May last.

Q. What inducement did you offer him to come? A. The position of draughtsman at $75 per month. He was out of employment at the time.

Q. He was doing nothing when you employed him? A. Yes, he had been applying to me from time to time to recommend him to engineers in the United States.

Q. He had been applying to you? A. Yes.

Q. And you offered him the position? A. Yes.

Q. Is he an American citizen? A. I am not sure, my opinion is that he is, he was born there.

Q. How old is he? A. About 40 years.

Q. Do you know how he votes, Republican or Democrat? A. I never talked with him about politics.

Q. You know there are two parties there. Who is your leveller? A. When I left the party was not fully organized nor this position distributed, but the position would probably be filled by Green. I transferred him from draughtsman to leveller and would possibly give the position of draughtsman to F. W. Fink.

Q. Where did he come from? A. From the United States.

Q. What had he been doing there? A. For several years practiced as a miner, prior to that in the employment of the Union Pacific Railway; and for about a year I think, or more, he at one time had charge of a locating party; and for the last six or eight months he was draughtsman to a locating party in the States.

Q. Did you induce him to come over to Canada? A. Yes.

Q. For what reason? A. The reason I sent for these two men is that I made an application to Mr. Kyle for a draughtsman, one that I could use for other duties, and he sent me out a boy, but I understood from him that he had never done anything in our line, had never done any draughting in his life; in fact knew nothing about it.

Q. Was that McGuire? A. Yes.

Q. He sent you out McGuire? A. Yes. I applied to Mr. Kyle for a man before we left Winnipeg and he sent him out there and I sent him back on the next train. To illustrate the efficiency of the man, he asked if a mile did not consist of 2,500 feet. I asked Mr. Kyle for a draughtsman at the time and he tried to find one and wrote to one or two fellows offering inducements.

Q. To whom did he write? A. I do not know. I think he wrote to Mr. Fink and Mr. Green. Without replying both of them showed up and I had them in the camp until three or four days ago.

Q. Is Mr. Fink an American? A. I think he is.

Q. How old is he? A. About 40 years.

Q. When was he employed? A. In May.

Q. About the middle of May? A. He came on this letter.

Q. About what time? A. In the early part of May.

Q. He answered the letter by coming? A. Yes.

Q. Who is the topographer? A. P. T. Gill.

Q. Where from? A. Ireland.

Q. Came out direct here? A. About three years ago to work for me in the States, and worked for me first.

Q. In Ireland? A. In Idaho.

Q. Was he in Idaho since? A. No, in Colorado till about three or four months.

Q. How did he come over here? A. I wrote telling him to come.

Q. When was that? A. Last month.

Q. Is he an American citizen? A. No.

Q. Are you sure of that? A. Yes.
Q. Did he not take out naturalization papers since? A. No.
Q. Now, who is your rodman? A. My rodman's name is Hanna.
Q. When did he come out? A. He came out with the original party from Winnipeg.
Q. What nationality is he? A. He was born in England and I understand lived in Canada ever since.
Q. Mr. Fink got $110 per month in his former position and $100 in his last place. What was he getting when you employed him? A. Nothing; he was out of employment and had written to me two or three times within a couple of months.
Q. What was Mr. Gill doing when you employed him? A. Gill was on transit at $100 per month
Q. What was he doing when you employed him here? A. He came direct from that place.
Q. At $100 per month? A Yes.
Q. Why? A. He was very desirous of working with me. When I had an opportunity to instruct him in any way I always did so.
Q. Is Myers an American? A. I think he is an American.
Q. I see he was engaged on the 20th of April, 1904? A. About that time. He stayed about two weeks.
Q. Had you many other men like that sent to you? A. No.
Q. Do you remember young Meddaugh? A. Yes.
Q. He was sent to you by Mr. Kyle? A. Yes.
Q. Is he still with you? A. No, sir.
Q. What was his position? A. Well, an axeman or anything of that kind.
Q. What wages had he? A. $40 per month.
Q. How long was he there? A About two weeks, something less than a month.
Q. Was he an American or not? A. I do not know.
Q. Know where he came from? A. No.
Q. C. E. Mills, do you remember him? A. No.
Q. He was not placed in your party? A. I do not remember now.
Q. Now, what transportation was given to you in coming over from the other side? A. None.
Q. No transportation at all? A. No.
Q. Nothing from Montreal? A. Yes, I got transportation from Montreal to Winnipeg to report to Mr. Kyle.
Q. And transportation from Winnipeg to the camp? A. Yes.
Q. Do you remember Mr. W. C. Campbell, assistant topographer? A. No.
Q. Was he not sent to you by Mr. Kyle? A. No—oh, yes, he is at work.
Q. Do you know where he is from? A. Yes.
Q. Have you seen him? A. Yes, he came into camp just before I left.
Q. And Mr. H. E. Howe? A. I do not remember that name.
Q. He is an axeman, apparently, from the return? A. I think it is since I left.
Q. How many of a party have you? A. At the time it consisted of about twelve.
Q. Do you know Mr. Allan? A. Yes.
Q. On the other side? A. No.
Q. Do you know what his nationality is? A. No.

Q. Never had any conversation with him about that? A. No, never

Q. When do you intend returning to camp? A. In a day or two.

Q. You have been trying to get these men down but have not succeeded, do you think you can get them down in about ten days? A. It depends what instructions I receive.

Q. Is it possible to come down in that time? A. Yes.

Q. What is the best means of letting you know when to have the men down, by wire? A. Yes.

Q. How long ahead before you could come to Winnipeg? A. If you wrote it would be necessary that the letter should be mailed in Winnipeg a week ahead, as we do not go down every day for the mail.

Q. I wish you would keep a look-out. I will want Mr. Green, Mr. Mr. Fink, Mr. Gill and Mr. Allan? A. Mr. Allan is going back as soon as he is relieved.

Q. Going back to Winnipeg? A. As soon as I return he will go back to head office.

Q. Do you now remember Mr. Meddaugh? Do you know about his having any experience? A. He is just like every boy without any experience. There are generally three or four such boys in a party.

Q. For the purpose of being trained? A. Yes.

THE COMMISSIONER: That is all, Mr. Kelliher.

Mr. CAMERON: Your present remuneration is $175 per month? A. Yes.

Edmonton, 13th June, 1904; the Town Hall, 2 p.m.

The Commission resumes:

Present, His Honour Judge Winchester, Commissioner.
" H. M. Mowat, Esq., K.C., Counsel on behafl of the Government.
" C. W. Cross, Esq., Counsel on behalf of the Grand Trunk Pacific Railway.

His Honour Judge Winchester reads the Commission.

Mr. Mowat: Your Honour I appear for the Government of Canada, having been instructed to attend before the Commission for the purpose of watching the proceedings on the part of the Government and perhaps the cross-examination of witnesses on behalf of the Government and also calling witnesses. Mr. Cross appears for the Grand Trunk Pacific. The Government has placed on the statute books a law to restrict the importation and employment of aliens and desire, with a view to the proper protection of the Canadian workman, that the provisions of that statute should not be violated and that is the reason why I am instructed to appear as counsel. I might add that I am stopping at the Alberta Hotel here, where I will be pleased to interview any person who may have to offer any information concerning the matters being investigated here and to give Your Honour every facility for a prompt and proper enquiry.

Mr. Cassius C. Van Arsdol being sworn:

THE COMMISSIONER: What is your name in full? A. Cassius C. Van Arsdol.

Q. What is your position on the Grand Trunk Pacific? A. Division engineer.

Q. Division engineer for what division? A. For three divisions known as Prairie West, Eastern Slope and Mountain Divisions.

Q. Where do they commence? A. From Prince Albert west.

Q. Then east of that is Mr. Kyle's division? A. Yes.

Q. How long have you been in charge of the division? A. Since about the 1st of December in charge of the two eastern divisions of the present work. The Mountain division I took charge of the latter part of August.

Q. After you took charge of the mountain division in the latter part of August, the prairie west and eastern slope divisions were added to your work? A. Yes.

Q. When you had charge of the western part of your work your headquarters were at Victoria, B. C.? A. Yes, Victoria, B. C.

Q. And you took charge there in August? A. About the last of August, 1903.

Q. You are pretty well acquainted with Mr. Kyle, I presume? A. Yes, sir, I am.

Q. How many years have you known him? A. Well, I have known him personally for perhaps six or seven years.

Q. Have you known Mr. Stephens, the assistant chief engineer of the system? A. Well, I was not personally acquainted with Mr. Stephens and I only met him once before I came to this work. I was introduced to him once.

Q. That is a number of years ago? A. I have known of Mr. Stephens and had known of him.

Q. When were you first approached as to taking a position on this road? A. About the 1st of July

Q. July last? A. Yes.

Q. By whom were you approached? A. By Mr. Stephens. Well, if you will allow me to correct a statement in regard to my present position——.

Q. The approaching you refer to was in regard to your present position? A. Yes.

Q. Prior to that, however, in March, 1903, you were offered a position on this road? A. Mr. Kyle spoke to me some time earlier than this, I do not remember the exact date. That position I told him I would not agree to accept.

Q. What position was he referring to in March 1903? A. I do not know.

Q. Mr. Stephens telegraphed Mr. Kyle on the 12th March, 1903, in which he stated "Can you get Van Arsdol as assistant at $175 and expenses." Was that the position? A. That is the statement Mr. Kyle made to me, that I could get employment at $175 and I told him I did not want it.

Q. Where were you living at that time? A. I had an office at Hoquiam, Washington. I had charge of the northwestern end of the Northern Pacific.

Q. Mr. Kyle was also on the Northern Pacific at that time? A. He was division engineer in the maintenance department and I was in the construction department.

Q. Were you division engineer? A. I was known as assistant engineer of construction.

Q. What was your salary at the time? A. $175 a month and expenses, including board.

Q. So that this offer of $175 and expenses was not as good as you were getting and that is the reason why you did not accept the position? A. Yes.

Q. Then in July, 1903, did you apply for a position on the raod? A. No, sir.

Q. What were the means taken to bring before you that there was a vacancy that you might be appointed to? A. I received a telegram from Mr Stephens offering me——.

Q. Do you remember if this was the telegram you received?:

"Montreal, June 30th, 1903."

"It may be can offer you position similar to Kyle's. If you are in position to accept how soon could you come?"

"(Signed) J. R. STEPHENS."

A. Yes.

Q. On the 3rd July you telegraphed Mr. Stephens from Lewiston, Idaho:

"Will accept if desired. Can leave on ten or fifteen days' notice."

A. Yes, sir.

Q. And on the 14th July, 1903, Mr. Stephens telegraphed you:

"All right, will offer same terms as Kyle, provided you can arrange amicably with Darling. Please wire when you can leave."

A. Yes.

Q. Who is Mr. Darling? A. Chief engineer of the Northern Pacific Railway.

Q. Was it necessary to arrange for leave of absence with Mr. Darling before you could get away? A. It is a matter of courtesy between engineers and the management of railways to do so.

Q. How were you paid, by the month or by the year? A. By the month.

Q. Therefore, it was necessary to give a month's notice before you could make arrangements to leave? A. No, sir. We remain while our services are satisfactory and, otherwise they can be brought to a termination at any time.

Q. Without notice? A. Yes, sir.

Q. But you felt bound to arrange matters with Mr. Darling before leaving? A. I have always felt the same towards any company for whom I was employed.

Q. Then you arranged satisfactorily with Mr. Darling? A. Yes, sir.

Q. And on the 20th of July, 1903, you telegraphed Mr. Stephens as follows:

"Have arranged satisfactorily to leave here about August 1st. Please instruct"? A. Yes.

Q. Before sending that telegram, however, I find a telegram dated the 17th of July, 1903, from you to Mr. Stephens, which is as follows:

"I have wired Darling and will advise you how soon I can leave."

I think it was prior to the acceptance that you sent that telegram? A. Yes.

Q. And then on the 22nd July Mr. Stephens wires you: "All right, will wire you where to report later." You received that telegram? A. Yes.

Q. And on the 25th July, 1903, he again wired you: "Please report at Winnipeg as soon as possible and advise this office. I have arranged for chief clerk"? A. Yes.

Q. Now, what did you do after that? A. I went to Winnipeg.

Q. You came to Winnipeg from Hoquiam? A. Yes.

Q. And you arrived in Winnipeg, I think, on the 8th or 9th of August, 1903? A. Yes.

Q. How was transportation arranged for you? A. I had transportation over the Northern Pacific.

Q. Yourself? A. Had annual transportation and only used their transportation——.

Q. To where? A. To the Canadian line just south of Winnipeg.

Q. Then you came at your own expense from there to Winnipeg? A. I bought a ticket and I think I sent that in.

Q. You were repaid for that ticket? A. I am not positive, but I think so. It was only a matter of $1.50.

Q. Were you an American citizen at the time you were employed by Mr. Stephens? A. Yes.

Q. And still are an American citizen? A. Yes.

Q. Now, do you know Mr. McNeill, district engineer? A. Yes, sir.

Q. He was here when you came? A. He was here as district engineer.

Q. As district engineer? A. Yes.

Q. What district has he charge of? A. He has charge of all parties this side of Prince Albert branch, that is work on the prairie west division and on the eastern slope division.

Q. Who else were here when you came? A. Mr. McEdward.

Q. What position did he occupy? A. He was clerk for Mr. McNeill.

Q. Did you know Mr McNeill before you came here? A. No.

Q. Do you know whether he is an American citizen or not? A. I think he is. He is present.

Q. Do you know about Mr. McEdward? A. I think he is a Canadian. He is here also.

Q. Do you know Mr. B. B. Kelliher? A. No, sir.

Q. He is one of the assistant engineers east of here? A. I do not know him.

Q. He is in your division? A. No.

Q. What parties have you in your division? A. I have parties 13, 14, 15, 16, 17 and 18.

Q. From parties 13 to 18 inclusive? A. Yes, sir.

Q. Now, who has charge of party 13? A. C. W. Stuart.

Q. Who employed him? A. I don't know, he was here when I came.

Q. Was his party as now made up also with him at that time? A. It was in full. A few parties have changed.

Q. Do you know who formed that party? A. I am not positive of it, I think it is Mr. Kyle and I think it was formed under his direction.

Q. Have you asked for a return from each of these parties, from the assistant engineer in charge of them, with the names and nationality of the members forming each party? A. I have.

Q. Have you those returns? A. I think we have them in the office, we have not received certain ones yet.

Q. Did you forward these returns or copies to Mr. Stephens? A. I think we did. We had not that of Mr. Hislop.

Q. You have not 17 or 18, Mr. Hislop's? A. He is No. 14.

Q. Then you have received returns from 13, 15 and 16? A. Yes, and also from Mr. Going relating to the men he has employed.

Q. What clerks have you in the office here? A. I have Mr. J. McD. Mellen.

Q. He is a brother of Mr. Mellen in Mr. Stephens' office? A. Yes.

Q. Mr. McEdward? A. Yes, Mr. McEdward. He is acting as clerk and draughtsman.

Q. Any others besides Mr. Mellen and Mr. McEdward? A. These are the only ones, except an errand boy.

Q. Who is Mr. Nichoson? A. Mr. Nichoson was employed here for a short time as draughtsman and later sent to party 17 as draughtsman in the field.

Q. He is with Mr. Callaghan's party as draughtsman? A. Yes.

Q. Who employed him? A. I employed him.

Q. Where was he when you employed him? A. Edmonton.

Q. How long was he here before that? A. I don't know how long he was here, he came into the office and made application for work.

Q. Is he an American or a Canadian? A. I think he is an American, I did not know it at the time.

Q. Do you know where he came from to Edmonton? A. I think he came from Seattle.

Q. Do you know when he came here? A. I do not remember the date, about three months ago.

Q. How long have you had him in the employment of the Grand Trunk Pacific? A. About three months.

Q. Did you invite him over here? A. No, sir.

Q. Did anyone? A. Not that I am aware of.

Q. What was he doing over in Seattle when there? A. I don't know his occupation there.

Q. And then Mr. Morgan, what is he? A. I do not remember him.

Q. Was he not in the head office here at one time? A. No, sir, I had no one of that name.

Q. How long have you known Mr. R. W. Jones? A. Since I came here.

Q. He is also district engineer? A. Yes, he is for the eastern slope, Mr. McNeill is for prairie west.

Q. Where is Mr. Jones now? A. He is on reconnaissance.

Q. What distance is he from here? A. I don't know, I have not heard of him since he left.

Q. When did he leave? A. The latter part of last month.

Q. The latter part of May? A. Yes.

Q. About two weeks ago? A. Yes.

Q. Where was he going? A. Westwards.

Q. When was he to return? A. When he gets through the work.

Q. That is uncertain? A. Yes.

Q. Do you know whether he is an American citizen? A. I don't know. His father lives at Lacombe.

Q. Just south of here? A. Yes, sir. I know he owns property there, I don't know whether he is an American or not.

Q. Have there been any new parties formed since No. 18? A. No,

Q. No new parties formed since that once? A. No, sir.

Q. What new parties did you form? A. 17 and 18.

Q. About No. 13? A Mr. Stuart has charge of that and can give you the names of his staff or you may refer to the pay roll. I do not know all of them personally.

Q. L. C. Gunn, is transitman with Mr. Colladay? A. Yes.

Q. There was a levelman named St. Phalle; a transitman named Barrett; a topographer named Savage. Are these still with him? A. St. Phalle, I think, quit last month; the others are with him.

Q. Who took St. Phalle's place? A. Mr. Peter Talbot.

Q. Who employed him? A. I employed him.
Q. Where did he come from? A. Montana.
Q. Do you remember when he came here? A. The first part of May.
Q. Did he apply for a position? A. He made application.
Q. And did you answer his application? A. I wired him.
Q. Setting forth the wages and position? A. Yes.
Q. And in answer to your wire he came? A. Yes.
Q. Do you know what he was receiving before he came? A. I don't know.
Q. What position did he occupy? A. I think he stated in his application that he was a leveller on some railway.
Q. Mr. Gunn, do you know him? A. Yes.
Q. Is he an American or a Canadian? A. I think he is an American.
Q. Do you know where he came from? A. Mr. McNeill engaged him.
Q. Mr. Barnett, do you know him? A. By sight.
Q. That's all? A. Yes.
Q. Mr. Savage? A. I don't know Mr. Savage.
Q. Do you know whether either of these two gentlemen are Americans, Mr. Savage or Mr. Barnett? A. I don't know. I think we have a statement from Mr. Stuart of their nationality.
Q. Those in party No. 14, Hislop's, do you know them? A. Personally I don't know them.
Q. Have you got a statement from him as to their nationality? A. We have not received it.
Q. He is coming in here? A. Yes.
Q. Then Mr. Hislop will be here? A. Yes.
Q. And Mr. Going? A. Mr. Going is here.
Q. He had applied for a position? A. Yes, sir.
Q. Then No. 17, who employed Mr. Callaghan? A. I employed him. He was in St. Paul when I wired him.
Q. What was he doing in St. Paul? A. I don't know.
Q. Did you know him personally? A. No, sir.
Q. How did you come to employ him? A. He had sent a letter of application to Montreal.
Q. When did he arrive here? A. Sometime in February or about the 1st of March perhaps sometime in March, I am not positive.
Q. Is he an American citizen? A. I am not positive whether he is or not.
Q. Who would know? A. I think he is an American born, but whether he is now an American citizen or a British subject I cannot say positively.
Q. Here is a letter sent by Mr. Callaghan on the 11th January, 1904, from St. Paul, Minn., to Mr. J. R. Stephens, Montreal, Que., which the latter forwarded to you on the 13th of that month Is that the letter forwarded to you:

"Dear Sir,—Referring to your letter of March 11th, '03, regarding a position as locating engineer, I now wish to enquire if you will have something to offer in this line in the near future. I expect to arrange so I can leave here in about two weeks from the present time. Would prefer employment in British Columbia or the Northwest. If you have a position to offer please state rate of pay. Truly yours,

"JNO. CALLAGHAN."

A. Yes, sir, that letter was forwarded with Mr. Stephens' letter.

Q. Then on the 28th January, 1904, you wrote to Mr. Callaghan from Edmonton, addressing him at St. Paul, in which you say:

"Dear Sir,—Your letter of January 11th, addressed to Mr. Stephens, Asst. Engr. of the Grand Trunk Railway at Montreal, has been forwarded to me with the request that I reply direct.

"I can offer you a position as assistant engineer in charge of a party on location at a salary of $150 per month and expenses

"If you will be available to report in the near future at Edmonton, Alberta, please wire me on receipt of this letter whether you will accept and how soon you can report here.

"Your time and expenses will be borne by this company from the time of your reporting at Edmonton. Yours truly.

Q. That was the letter sent to Mr. Callaghan? A. Yes, sir.

Q. Now you got a telegram in reply dated 2nd February, from Mr. Callaghan at St. Paul, Minn.: "Can leave here for Edmonton tenth of this month. Will that answer?"

Then you reply by telegram, dated Feb. 3rd: "Yes. If you can leave on 10th will be O.K."

And he replied on the 12th Feb. from Calgary: "Leaving Calgary for Edmonton this morning."

So that he arrived here about that time? A. About the 13th of February last.

Q. Do you remember Mr. Hare of his party? A. Yes, sir.

Q. By the way, what had Mr. Callaghan been doing for some years? A. Being following railway work.

Q. Was he an engineer? A. Yes.

Q. Not a transitman? A. He had charge of construction on the New Westminster, B. C., line before he came here.

Q. How long? A. He stated that he had been there for a year.

Q. And prior to that? A. On the C. P. R.

Q. In Canada? A. I don't know.

Q. Then Mr. Hare is transitman in Mr. Callaghan's party? A. Yes, sir.

Q. Is he an American? A. Yes.

Q. Where was he when you employed him? A. I am not positive where, he was somewhere in Montana.

Q. Did he apply for a position? A. Yes.

Q. And you wrote to him? A. I either wrote or wired.

Q. What had he been doing in Montana? A. He was on construction work as assistant engineer on the construction, I think, of wharves for the Northern Railway.

Q. Do you know at what wages? A. I do not know what he was receiving before coming here.

Q. What other staff has Mr. Callaghan with him? A. He has a full party.

Q. Who is his levelman? A. Well, I cannot recall the name, the pay roll will show. He has a man they picked up here in Edmonton and took out. Callaghan said he had been running a level and was a good man.

Q. Who is his transitman? A. Mr. Nichoson went out with him.

Q. Who was topographer? A. I don't know without referring to the pay rolls.

Q. You don't know that personally? A. No, sir; he picked up and appointed his own party right here.

Q. Do you know what Americans are in his party? A. I don't know that there are any. I don't think there are, although there may be. They

were employed here locally, besides himself, Mr. Hare and Mr. Nichoson, and I am not sure about their nationality.

Q. Don't you know about Mr. Hare? A. I am not positive about him, but I think he is an American.

Q. Did you know Mr. Sprague before he came here? A. No, sir.

Q. Who employed him? A. Mr. McNeill.

Q. Do you know his party? A. Yes, sir.

Q. Now Mr. Kyle is transitman, Douglas Kyle, brother of George A. Kyle? A. Yes, sir.

Q. An American citizen, too? A. Yes, sir.

Q. Do you know Mr. Robinson, his draughtsman? A. Yes.

Q. Where employed from? A. Here, I think, he was on the Canadian Northern road in the vicinity and applied for work here.

Q. Now, who is his leveller? A. He has none, he is running division reconnaissance lines.

Q. Who is his topographer? A. I don't know who he is.

Q. Do you know whether he has one or not? A. I am not positive.

Q. You had Mr. MacLean as clerk in Victoria, where was he employed? A. He was employed there.

Q. He is a Canadian? A. Yes, I believe him to be a Canadian, I do not know him personally.

Q. Who recommended him? A. Mr. Bodwell, attorney, Victoria.

Q. It is stated that Mr. Hays, a brother of the general manager, was up here about the 30th May, last? A. I don't know, I never heard of him.

Q. Do you know the secretary of the Western Society of Engineers? A. No.

Q. Are you a member? A. No, sir.

Q. A member of any society on the other side? A. Never joined any.

Mr. MOWAT: Being a divisional engineer, Mr. Van Arsdol, I suppose you consider that a position of responsibility? A. Yes.

Q. You are responsible to the company to a very large extent for the work of the people you are employing? A. For the results of the work.

Q. And as a general thing responsible from bottom to top? A. Yes.

Q. And in employing, the making up your mind as to whom to employ to do the work entrusted to you, you I suppose rather of necessity employ those whose work you know than those whose work you do not know? A. Yes, I always try to satisfy myself that they are capable for the work and to get the best men.

Q. And I suppose your predilection has up to the present time been for those on the other side? A. Under my direction there is only one man I know to be an American.

Q. Then you have accepted them on the part of engineers you know, in whose certificate you can trust? A. Yes.

Q. You have never, I suppose, made any particular enquiries as to the qualifications, or the history or the achievements of any Canadian engineers? A. Yes, sir, we have of some.

Q. You have made enquiries? A. Yes.

Q. Do you remember any? A. I made enquiries as to Mr. McMillan and I also got a memorandum from him. He is a good man but was not available. I also employed Mr. Cotton on the recommendation of some engineers in British Columbia

Q. These are only two? A. I made enquiries about some others.

Q. Can you mention the names of other persons whose qualifications you enquired into? A. Well.

Q. Mr. Cotton, you found, was a man who had a good reputation as an engineer or you would not have employed him? A. I found I was mistaken.

Q. Do you know what the length of his service was? A. From September until the 1st January. He had been recommended to me as a man who worked on the C. P. R., and was recommended by Mr. Gray of Victoria, but I found that he was not thorough in that kind of work.

Q. What age was he? A. About 50 years of age.

Q. Did you have any difficulty with him? A. No.

Q. Did you meet him personally? A. Yes, sir.

Q. Did you dismiss him by letter or personally? A. Well, I did not see him personally at the time. It was from the office in Victoria.

Q. While you were in Victoria? A. Just after I left.

Q. Who was in charge? A. Mr. Mellen was there at the time.

Q. Mr. Mellen is now here with you? A. Yes, sir.

Q. Then your system in your office when you get an application from an engineer or other person desiring to be employed in engineering work or in locating is to take some record of the applicatoin in this book which I see called "Applications"? A. Yes.

Q. Under the address of the several headings, locating or other engineers, then follows the list, then transitmen, who are lower than engineers both as regards pay and responsibility? A. Yes.

Q. The next goes down to levelmen, that is the next grade is it? A. Yes.

Q. Then rodmen and chainmen? A. Yes.

Q. Draughtsmen, where should they come in? A. They would come in about the same rate as levelmen.

Q. You were speaking about Mr. Hare, who was transitman with Mr. Stuart? A. Mr. Hare is with Mr. Callaghan.

Q. Did you know Mr. Hare before you employed him? A. I did not know him personally.

Q. By reputation? A. I employed him on the recommendation of Mr. McNeill.

Q. By letter? A. Yes.

Q. Who did you enquire from? A. Mr. McNeill knew him and his work.

Q. Do you know where he was when you employed him, do you remember? A. I am not positive.

Q. I see here an application from Superior, that is in Minnesota? A. Yes.

Q. Dated 12th of December, 1903, addressed to Mr. E. R. McNeill? A. Yes.

Q. It reads as follows:

"Dear Sir,—While in St. Paul a few days ago, where I went to meet my friend H. C. Brice, the question came up about work in the Northwest and he advised me to write you. I am now on the lake division of the G. N. and have been for the past six years, but on account of slackness of work they have sent Mr. R. E. Taft here as he is an older man in the service, which compels me to seek work elsewhere. I have been in railroad work for the past twenty years. While I feel perfectly competent to handle anything you may have to offer I would very much like to be given a show and let my work show for itself. In the matter of references I would respectfully refer you to Mr. Hogeland, Mr. Mason, Mr. H. A. Kennedy,

Mr. D. M. Philbin, Mr. Brien, etc. Trusting that I will hear favorably from you, I remain, yours truly,

"165 HaHmmond Ave., Superior, Wis. H. T. HARE."

Then there is a further letter to Mr. McNeill, dated 17th December, 1903, as follows:

"Dear Sir,—In addition to my letter to you some few days ago I take the liberty of writing you and enclosing a letter from Mr. Hogeland. I know that letters of recommendation are always taken with a 'grain of salt,' but I send this to you more for the purpose of showing you that I left the G. N. with a clean record than anything else. I would beg that you return this to me and oblige. Yours truly,

"H. T. HARE."

This you answered by a letter dated the 22nd December, 1903, as follows:

"Dear Sir,—Mr. E. R. McNeill has referred to me your letters of Dec. 12th and 17th relative to employment with the Grand Trunk Pacific Ry. I cannot offer you anything at the present time, but think I will be able to give you a position as transitman probably some time in January. If you care for place kindly advise me whether you desire this position. I will be pleased to communicate with you whenever an opportunity may offer. I return you herewith letter of recommendation from Mr. H. Hogeland.

"Yours truly,

"C. C. VAN ARSDOL,

"Division Engineer."

A. Yes.

Q. Then on the 28th December, 1903, he wrote you as follows:

"Dear Sir,—Your favor of the 22nd at hand, and I would say in reply that I will take the position you mention for the reason that I wish to get in with your people and I realize that this is the best way to get a start. I can probably get back with the G. N. in the spring, but I do not care to try as I am not satisfied with the way I have been treated by them, and if I go with you I would expect to try and give satisfaction with a view to staying. There is a young fellow here who has been associated with me for a number of years on the G. N. who would gladly take a position as instrument man (and I can recommend him as such) if you should be in need of his services kindly let me know. If you wish me to come I wish you would kindly let me know as soon as you can as there are a number of things I would like to arrange before leaving for a lengthy trip. Trusting that I will hear favorably from you,

"I remain yours truly,

"H. T. HARE."

And on the 19th January, 1904, you answered him as follows:

"Dear Sir,—Yours of Dec. 28th is received. If you are now available for a position as transitman I can give you a position at $100 per month and expenses after you report at Edmonton. You will be required to pay your own expenses to this point. Please wire me in receipt of this letter if you accept and how soon you will be able to report for duty.

"Yours truly,

"C. C. VAN ARSDOL,

"Division Engineer."

A. Yes.

Q. In a letter dated the 26th January, 1904, from Hibbing, Minnesota, Mr. Hare says:

"Dear Sir.—Yours of the 19th caught me here. I wired you acceptance

of position last night, but for fear of some hitch I follow it with letter. I expect to reach there about the 1st.

"Yours truly,

"H. T. HARE."

The telegram mentioned in the above letter was as follows: "I will leave Superior the 27th." Then on the 31st January Mr. Hare sent you the following telegram from Lethbridge: "I leave Macleod in the morning. These, I presume, are correct? A. Yes.

Q. Do you know the qualifications of Mr. D. O. Lewis? A. D. O. Lewis?

Q. Yes. A. I don't know him personally but I think I remember a Mr. Lewis, an engineer.

Q. Where did he come from? A. From Alaska, I think, but I am not positive.

Q. Before you received any letters from him did you know anything about him? A. Very little, I have heard of him. He was employed on the Northern Pacific when I was employed by that company.

Q. There is the application of A. O'Meara, did you know him before you heard from him? A. I do not remember.

Q. Then there is another from Arthur E. Hill, did you know him before you received his application? A. No, sir.

Q. Did you know anything of John Irving? A No, sir.

Q. Did you know Mr. R. C. Damon before his application? A. No,

Q. I find in the list which you keep here, under the heading of transitmen some of these people about whom I will ask you a question or two. I find a letter here addressed by D. O. Lewis, dated Toronto, October 1st, 1903, to Mr. F. H. McGuigan, manager of the G. T. R., Montreal, it reads:

"Dear Sir,—I beg to apply for a position in the Grand Trunk service.

"I had the pleasure of presenting to you on the 24th ult. a letter from Mr. F. W. Morse, your third vice-president, and from Mr. R. Marpole, gen. supt. Pac. Div., C. P. R., also my certificate of service, a copy of which is attached.

"I can refer you to Mr. F. F. Busteed, div. eng.; Mr. H. J Cambie, special asst. engineer, and Mr. Marpole, gen. supt. Pac. Div. C. P. R., Vancouver.

"The years 1889 to 1892 inclusive were occupied on various land surveys on Vancouver Island at and near Port Simpson, B. C., also in city engineering, Victoria, B. C., and in land surveys State of Washington, U. S. A.

"I have been an assoc. member of the Can. Soc. C. E. since 1894."

"Yours truly,

"D. O. LEWIS."

The certificate as to his service is attached and in part reads:

"Division engineer construction Slocan Branch fro- June, 1897, to Nov., 1897.

"Engineer" roadmaster, C. & K. Slocan & Proctor Branches, Nov., 1897, to Sept., 1901.

"Resident engineer Shuswap and Mountain Sections, including S. & C. and L. & A. L. Branches, Sept. 1901. to Sept. 1903."

Not knowing the man, I suppose that did not make much impression on your mind? A. What was he applying for?

Q. I have just read the letter; he was applying for a position in the G. T. R. service, and I notice that you informed him on the 6th November, 1903, in answer to that letter:

"Dear Sir,—Yours of October 1st addressed to Mr. F. H. McGuigan, manager of the Grand Trunk Railway, Montreal, has been referred to me through the asst. chief engineer, Mr. J. R. Stephens.

"We have not yet taken up the work of surveys in British Columbia, but expect to do so in the spring, and it is possible that we may be able to offer you employment in some suitable position at that time.

"I will place your application on file and will communicate with you when an opportunity may offer. Yours truly."

Q. Can you explain to us how it is that an engineer with the amount of experience possessed by Mr. Lewis, who has held these responsible positions for some 21 years could be placed on the list in your office book as a transit-man? A. From the services he gives he might not know about the work of location. I think he was employed on construction work, which does not entirely fit a man for the work of location.

Q. That is why you made the distinction and put him among the transitmen? A. I presume I would consider that he should be placed as transitman or leveller to get full acceptance.

Q. Was that your idea in putting him in the list of transitmen? A. I do not know. These names were put on the list by Mr. Mellen.

Q. Surely as responsible head of the division you did not leave the classifying of these applications solely to Mr. Mellen? A. It may be that this one is placed out of place.

Q. It is evidently out of place? A. Yes.

Q. I suppose you would be disposed to have Mr. Mellen go over the list and see if there are others similarly misplaced. You will see that your office has written the word "location, file," on the letter? A. I cannot say that he would be suitable to put in charge of a locating party because it is not shown in his statement of experience that he has the necessary experience for location work.

Q. And that was your reason for putting him down as a transitman? A. That was on construction, which does not fit a man for location particularly.

Q. Not particularly perhaps; now, for instance you, Mr. Van Arsdol, were not on location work when you came here? A. I had charge when I left of three locating parties there.

Q. I understood that when you first started out here you had been assistant engineer of construction? A. Both construction and location.

Q. What was going on at Hoquiam at that time in the way of location? A. Directly under my charge? We were then making location from South Bend to mouth of Columbia River, I was partly on that work. We were locating a line to the Columbia River branch line, and in addition to that we were building a line which I had charge of with a number of branches, general work.

Q. General work? And an engineer, to be called an engineer, must be a general engineer? A. Yes.

Q. And you no doubt will say that you are quite fit on that score, and I suppose the same thing would apply to Mr. Lewis, that is you know nothing to the contrary? A. No, sir.

Q. Now, we have Mr. Legge, with his 20 years' experience, of course he does say he was on location, has been put among the transitmen. We have here a letter from Mr. A. O'Meara, whom you say you did not know previous to his application. It is addressed to Mr. Philip Waterlow and is dated October 10. 1903. I will read the letter:

"Mount Tolmie, Victoria, B. C.,
"Oct. 10th, 1903.

"Dear Mr. Waterlow,—I had the pleasure yesterday of meeting your brother, Mr. G. S Waterlow, who is staying here for a few days previous to his going to Rossland.

"In the course of conversation with him I mentioned that I had been very unfortunate lately, not having been able to find any employment in my profession, and he advised me to write to you as he said that you might be able to help me to get work as an engineer on the western section of the Grand Trunk by putting in a word for me with the chairman of that company, who is I understand a friend and neighbor of yours.

"Should you be able to obtain for me employment on the survey or construction of the Pacific end of the line I should be most grateful. I have had considerable experience in railroad work and surveys and I am sending you some copies of testimonials, which you may need to show to your friend.

"With kind regards, I remain, yours sincerely,

"A. O'MEARA."

With this is enclosed a letter from the chairman and secretary of The Municipal Office, St. John's Nfld., stating:

"We certify that Mr. Alfred O'Meara, civil engineer, has been for two years in the employ of the City Council of St. Johns, during which time important works of sewerage, street improvements, etc., were under construction, and we have much pleasure in stating that he fulfilled all his duties, both in field and office, in connection with them in an able and faithful manner."

There is also a letter from the Surveyor-General of the St. Johns, Newfoundland, and the Government Engineer, dated January 4, 1901, as follows:

"During 1888 and 1889 Mr. Alfred O'Meara was employed on my staff as an assistant engineer on the location and construction of the Placentia Railway. I have much pleasure in testifying not only to Mr. O'Meara's competency but also to his irreproachable character and uniformly gentlemanly bearing. Mr. O'Meara was subsequently engaged by the City of St. Johns as engineer in charge of work.

"I believe him worthy of all confidence,

"H. C. BURCHILL,
Government Engineer."

Then there is a letter from Sir Charles Rivers Wilson, who, I think, is President of the Grand Trunk Railway, dated 28th October, 1903, which is as follows:

"My dear Mr. Hays,—I have received the enclosed from my friend Mr. Philip Waterlow and shall be much obliged if you will kindly note Mr. O'Meara for employment on the Grand Trunk Pacific at the proper time, provided, of course, you are satisfied upon enquiry as to his qualifications.

"Sincerely yours,

"C. RIVERS WILSON."

Now, that is a pretty high recommendation and was sent to you by Mr. Stephens on the 9th November, 1903, and you replied to Mr. O'Meara on the 15th November, 1903:

"Dear Sir,—Your application for employment on the Grand Trunk Pacific, forwarded through Mr. Waterlow, has been referred to me.

"We have not yet placed parties on surveys in British Columbia, but shall probably do so in the spring at which time we will consider your application and if an opportunity offers I will be glad to communicate with you.

"If convenient you might call at your leisure at our offices in the Law Chambers.

"Yours truly."

You did not employ Mr. O'Meara? A. No, sir.

Q. Can you explain why an engineer who has had this experience as shown by the certificates and who has served about 20 years was also placed among the transitmen instead of among the engineers. Because his name was utterly lost among the transitmen? A. It should have been placed among the engineers.

Q. I suppose this will apply also to these gentlemen: Mr. Arthur E. Hill, a member of the Institute of Provincial Land Surveyors, who wrote on the 30th October, 1903, to you:

"Dear Sir,—May I beg that you will place my name upon your list of applicants for employment on your engineering staff.

"I believe my experience on railway work might warrant my looking for charge of a survey party, but entering a new service I should not be unwilling to take an instrument on a field party until I could win a more important post by service in a subordinate one.

"Being a settled resident of this city I should be ready to report for duty at any time at which you might call upon me."

Then you wrote him to say: "We have not yet commenced preliminary surveys as yet, and shall not do so before spring in all probabilities, but I have placed your application on file for future reference in case an opportunity for employment should offer."

Now you are aware of what is necessary in picking the members of a staff, is it the same reason, was it the same mistake that his name was placed among the transitmen, do you give the same answer? A. Yes.

Q. Now we have in the list in your office, among the transitmen, Mr. John Irvine, who wrote to Mr. Stephens on the 21st September, 1903:

"Dear Sir,—As I expect to be through with my present work as assistant to Mr. J. F. Garden of Vancouver on a right of way survey on the C. P. R. about the end of the month I would like a position on your engineering staff if there are any vacancies. My experience is as follows:

"Graduated from the School of Practical Science of Toronto in 1889, during summer of '89 worked as chainman on sub-div. work in N. W. Territory. In 1890, '91 and '92 I worked on the western division of the Can-Pac. Ry. In 1894 I located a section of the Irondale and Bancroft and Ottawa Ry. In 1895 I worked on construction on the Tilsonburg, Lake Erie & Pacific Ry. In '96, '97 and part of '98 I was asst. engr. on maintenance of way in western div. C. P.R., and the rest of 1898, up to January, 1902, I was assistant engineer on construction of the Ontario & Rainy River Ry. From July, 1902, to January, 1903, I was asst. eng. on maintenance of way on the Pacific Div. of C. P. R., and March 1st to June 15th, 1903, I was employed as transitman on location of Trans-Canada Ry. eastward from Pt. Simpson. For the last six months of the work I had charge of the location of the line, which was on difficult ground.

"Mr. Hill (whose name we have all heard) was in charge of the party."

There is a letter dated February 14, 1903, from Mr. F. F. Busteed, engineer on the Pac. Div. of the C. P. R., recommending him as follows:

"To whom it may concern—

"I have pleasure in certifying that I have known Mr. Jno. Irvine for the past twelve years.

"That during part of that time he worked with me on permanent renewal of structures on the western division of the Canadian Pacific Ry., and afterwards had charge of part of the same work.

"That he has filled the position of assistant engineer on the Pacific division; has had charge of construction and location, and has always filled the positions held by him satisfactorily.

"He is sober and industrious and I heartily recommend him to anyone requiring his services."

You replied to him on October 5th, 1903:

"Your letter of the 21st ultimo, making application for a position on the Grand Trunk Pacific, has been referred to me by Mr. J. R. Stephens, Asst. Chief Engineer, Grand Trunk Railway. I would state that at present there is no opening as we have not yet started on our preliminary surveys, but I have filed your application for future reference, and would suggest that you keep me advised of any change in your address."

Then I find on January 11th a letter from Mr. Irvine in which he advises you of change of address to Harriston, Ont., and you wrote him on the 27th May, this May, two or three weeks ago, in reply to his letter that nothing has developed which you could offer him. That you shall bear his name in mind and you return to him his certificate of qualification signed by Mr. White, chief engineer H. & S. W. Ry. An engineer of that experience and his application has been placed among your transitmen is also a mistake? (No answer.)

Q. Then we have a letter from Mr. R. S. Damon, civil engineer, Victoria, dated 24th February, 1904. Did you know Mr. Damon before you received his application? A. No, sir.

Q. He was not employed by you. Then there is a letter dated February 2nd, 1904, from Coppercliffe, Ont., J. M. Purdy, saying:

"I would beg to ask you if you have any vacancy in the survey parties of the G. T. R. Ry., I am very eager to get on one of the parties and would prefer a position as transitman. I have taken a full course of training in surveying and draughting in Kingston School of Mines, together with a good deal of math. and some engineering. I understand the use of and can use any instrument on a survey. I have handled the transit in one mine survey and some little field work.

"I am at present with the Canada Copper Co., but would like to go into railroad work. I am twenty-five years of age, well able to stand the work and I think if you can give me the above or any other position you will find it filled to your satisfaction.

"Yours respectfully,

"G. M. PURDY."

You were not able to give Mr. Purdy any work? A. I judge from his letter that he has had no experience as a transitman.

Q. He says he has handled the transit? A. He has done no practical work.

Q. "I have handled the transit in one mine survey and some little field work"? A. Not on surveys.

Q. It was not that reason you gave him for non-employment? A. I had no employment for him.

Q. That there is a letter from Mr. C. O. Usborne, of Victoria, dated Mar. 26, this year:—

"I take the liberty of applying to you for a position in the surveying department of the Grand Trunk Pacific Railway under your direction. I am twenty-one years of age and have had three years experience in Honolulu, the last one of which I had a transit. I have seen Mr. A. S. Going here

in Victoria and it is by his advice I am writing to you. By the first week in April I expect to get letters of recommendation from my former employers, Public Works Department, Honolulu. If you wish it I shall go to Edmonton to see you."

You replied to him on the 26th March, 1904, that you have nothing to offer him in the way of employment. Then there is a letter dated 20th April, 1904, from F. D. Smith, from the engineering department C. P. R., Vancouver, B. C., saying that he wrote you some time ago giving you what experience he had. Yet you write him on the 26th March, 1904, to the effect that you cannot now offer him anything in the way of employment. He says in his letter to you of March 22, 1904, "I have been employed by the C. P. R. as transitman for some time on maintenance of way. So if you should have a vacancy in view I would be glad to accept the same. Can secure reference if necessary."

Q. There is a letter dated March 28th, 1904, from Chas. H. Ellacott, Associate Member of the Canadian Society of Engineers, Regina, Assa, saying:—

"Being given to understand that you are about to send several parties into the field in connection with G. T. P. surveys, I herewith beg to apply for employment in charge of party or as transitman for the time being."

He gives his qualifications and then says:—

"At present am with the N. W. Territories Government, as drainage engineer, but for several reasons wish to get out to B. C. again, and especially in the northern part."

You replied to him on Apr. 8, 1904:

"At the present time we are not operating any parties in that section. It is possible we may place parties in the Mountain Division later in the season, in which case we will be pleased to consider your application, and if an opportunity offers we will be pleased to communicate with you."

Mr. CROSS: What is the name, Mr. Mowat?

Mr. MOWAT: Ellacott.

To Mr. VAN ARSDOL: A letter from Victoria, B. C., dated the 29th March, 1904, asks for a position and says:—

"I can use transits, levels and understand topography, having recently completed a course of study at the Camborne School of Mines, Cornwall, England."

"At present I am employed by the corporation of Victoria, B. C., surveying water connections."

You replied to him that your parties in the field are now fully supplied. There is a letter dated 24th January from Mr. C. S. Moss, Revelstoke, B.C., applying for a position and saying he wants to advance his present position which is assistant engineer on the C. P. R. at Revelstoke. You replied to him on the 1st February that there is nothing to offer him then.

Q. Now we will take up the transitmen. I find a letter here dated Dec. 28, 1903, from Mr. Edward Ballard, Lethbridge, who says:—

"I have learned that you are the engineer for the new Grand Trunk Railway and write to ask if you can find me employment in connection with the new undertaking.

"I am 43 years of age and have quite lately come from England with my two sons, aged 18 and 17 respectively.

"I am a competent surveyor and engineer and have in Great Britain undertaken many extensive and difficult surveys and acted first as assistant and afterwards as principal in works of drainage, sea defence, road-making and the construction of buildings, bridges and tramways.

"You will find me a quick and accurate surveyor and leveller and a good draughtsman and calculator.

"I should indeed consider it a favour if you could find me work. Both my sons are exceptionally good penmen and mathematicians and would give satisfaction in subordinate positions.

"I am known to Mr. John Gwillim, of the School of Mines, Kingston, Ontario, and Mr. Acton Burrows, of Toronto, and as they are both somewhat public men they may be also known to you and they would vouch for my bona fides."

I suppose you know Mr. Gwillim or Mr. Burrows? A. No.

Q. That seems to be a man of considerable experience? A. As draughtsman, I don't think he has experience in the line of transitman.

Q. Don't you think that he would be a competent man with such experience? A. He does not state he has done any railway work. He has done road-making.

Q. "And I have undertaken many extensive and difficult surveys"? A. On road-making—

Q. "And the construction of buildings, bridges and tramways." That would seem long and varied experience. Any way you replied to him that you had nothing to offer but will file his application for future reference. That form of letter in reply seems to be a form of tomb from which no man's application ever returned. Then we have a letter from Mr. L. R. Jarvis, Winnipeg, dated Apr. 22, 1904:—

"I wish to apply for position as draughtsman, etc. Have had several years experience at railroad and map work. Have worked for the C. P. R. and Mackenzie and Mann down east, also the Wheeling and Fort Erie Railroad, Algoma Commercial Co., etc., always get credit for neat work and tracing. I have been out as topographer, rodman, etc., and would be glad of anything in that line; age 30."

Your reply to Mr. Jarvis is of a similar character, that you have nothing for him.

Q. Do you know Mr. A. H. Peterson, of Everett, Washington. Mr. Peterson writes you on the 17th December, 1903, that he is out of a position and drops you a line to see if you have a position. He says he has quite a good deal of experience as draughtsman but would prefer transitman's position. That is on Dec. 17th. I suppose that is the first you ever heard of Mr. Peterson? A. Yes, I don't remember him.

Q. Then it seems somewhat strange that you should offer him a position not knowing him, having nothing to show what kind of man he was. Do you remember why you made up your mind to offer him a position? A. When?

Q. In March last, 29th March. I suppose you wrote this telegram, that will refresh your memory? A. There is apparently no memo. in the correspondence.

Q. You telegraphed: "Can give you position as draughtsman; you pay expenses to Edmonton. Answer. C. C. Van Arsdol." But Mr. Peterson must be a Scotchman because he is canny enough to do some more telegraphing before he accepts. He answers on the 29th March: "What is the salary of draughtsman. Camp or office position."

Then you reply on the 30th, following day: "Office position; eighty-five dollars per month." He replies on same day: "Accept position if expenses at Edmonton are paid. Answer." On the 31st you wire him: "You pay your own living expenses. Will you accept and when will you leave."

You seemed very anxious to get Mr. Peterson, but then the crash came and on the 31st March he telegraphs: "Will not accept position at salary named and pay living expenses."

Q. What could you have heard about Mr. Peterson to make you so anxious to get him over from the other side when you had nothing to show what his qualifications were? A. Perhaps Mr. McNeill will explain that correspondence, I was not in the office at the time.

Q. It is signed C. C. Van Arsdol? A. They may have signed my name.

Q. Have they in your office authority to use your name? A. In correspondence of this kind. I would have to ask Mr. McNeill about the circumstances.

Q. Then did you ever meet Mr. W. J. Jamieson? A. I don't know him personally.

Q. I notice that Mr. Jamieson lives at Livingston, Montana? A. Yes, sir.

Q. And he writes you on the 8th February, 1904:

"You will no doubt have a number of locating parties under your jurisdiction when work opens up in the spring, and I would like to make application with you for a position as field draughtsman. I have been with the Northern Pacific three years next April, as office draughtsman for the most part, being in the field once for three months as draughtsman.

"I graduated in Civil Engineering just before coming to the Northern Pacific at the Virginia Polytechnic Institute, Blacksburg, Virginia, and am anxious to get into the field, thus getting more practical work.

"From present indications there will be little or no work so far as location is concerned, on any of Mr. Taylor's division during the next year.

"I can refer you to Mr. F. J. Taylor, Division Engineer here, and Mr. E. J. Gass, Chief Draughtsman.

"Yours truly."

Q. Did you refer to Mr. Taylor or Mr. Gass? A. No, sir.

Q. Did you know Elmer J. Gass at Livingston? A. No, sir, not personally.

Q. Then you wrote Mr. Jamieson on the 13th Feby., 1904: "I cannot state definitely just what date men will be required, but probably early in the season. I will keep your application in mind and advise you as soon as I can make use of your services."

Well, that is only five days after the 8th February and you did not know Mr. Jamieson previous to that, what induced you to make up your mind that you would like to have him? A. Let me look at the file. That was answered by my office, we were organizing quite a number of parties at that time and I left the office to answer him.

Q. Written by clerk "H," what does the initial "H" stand for? A. Mr. Hansacker was clerk at that time.

Q. Before Mr. Maclean? A. He was there temporarily.

Q. He came with you? A. No he came over in February, was there about a month.

Q. Came over from Seattle? A. From Tacoma.

Q. Your secretary at that time came from Tacoma? A. Yes, sir.

Q. For about a month? A. Yes.

Q. You knew Mr. Jamieson at that time? A. No, sir.

Q. In view of his letter you thought it was wise to encourage him at that time? A. Yes.

Q. That was in February? A. Yes, sir.

Q. If you had any job in mind you would not have liked to leave it open? A. No, sir.

Q. Well, you seem to have a certain amount of regret that you could not employ Mr. Jamieson, for one month afterwards, without a new application from him, on the 28th March, 1904, you offered him a position as field draughtsman? A. Yes, just at that time we were trying to get experienced field draughtsmen for a locating party just about starting out.

Q. You did not know Mr. Jamieson? A. I had made some enquiries.

Q. From whom? A. From Mr. Taylor.

Q. Have you got Mr. Taylor's letter? A. I don't know, it was a personal letter.

Q. Not a personal letter, on office business? A. I wrote him personally, we are old friends.

Q. Will you look it up please it may be in your office? A. I will see, sometimes personal letters—

Q. If it is personal I don't want to drag it out of you, but Mr. Jamieson in answering that telegram gave you an answer which is short and sweet: "Cannot come"? A. We have had some difficulty in obtaining men here for that particular work draughting in the field.

Q. Well, now you told me that you did not know Mr. Elmer J. Gass? A. No, sir.

Q. He applied to you on the 11th February of this year from Livingston, Montana, he says:—

"I wish to make application for a position as draughtsman with you.

"I have been with this company almost five years and during that time worked under Mr. Bihler in the Tacoma office, and since the change in divisions was made have charge of the draughting on the middle divisions."

That letter is marked: "Not replied to." Do you know why you did not reply to Mr. Gass? A. I think he had a previous application there somewhere.

Q. You have marked here: "Not replied to." I suppose you did not wait for him and did not think you had not answered seeing that as a rule you are so courteous in answering all these people? A. Yes.

Q. However, on the 5th March you wrote to him as follows:—

"Replying to yours of Feb. 11th I can give you a position in charge of the draughting work in my office at Edmonton, at a salary of $100 per month," etc.

He wrote you on the 12th March, 1904: "I had given up hopes of hearing from you, and as it was necessary for me to make a change as soon as possible on account of my wife's health, I accepted a position offered me at Los Angeles, Cal.," etc.

Well, you waited too long and he thought he would not wait for you and got another job. In your letter of the 5th March, 1904, although you did not know Mr. Gass you offered him a position of $100 a month? A. I enquired from Mr. Taylor, who is division engineer on the Northern Pacific, and I knew him as very thorough in his methods.

THE COMMISSIONER: Have you got Mr. Taylor's recommendation? A. It was simply a personal letter, I cannot say whether I have it or not.

Q. Is it usual to put recommendations with applications, should the business require you to keep a record? A. Yes, possibly I may have it.

Q. The letter I refer to is one written to Mr. Taylor about Gass on the 19th February, 1904? A. I will look it up.

Q. Now here is a letter to you from Mr. Springer, do you know him? A. Yes, sir.

Q. He did not apply to you for a position, he was in one? A. Yes, sir.

Q. You thought he was a good man? A. He is a good man.

Q. And you wrote on the 4th of February, 1904:—"I am at present in need of a good draughtsman in the office here, and I think you have had sufficient experience in general office draughting to be able to do the work required, which will be in the way of putting maps, notes, etc., as they come from the parties in the field, in proper shape for forwarding and for office record.

"I can pay for this position $100 per month, but you will be required to pay your own living expenses. You would also be required to pay your own expenses to Edmonton."

He writes on the 18th February saying he is obliged to you for your letter, but that he is in a position for the N. P., and does not care to quit it.

Q. Do you remember receiving a letter from Mr. George Knowlton, division engineer at North Bay, introducing Mr. H. J. Donelly? A. Yes, sir.

Q. Mr. Knowlton apparently sent to Boston for this man and passed him on to you. You did not know him before? A. No, sir.

Q. I see a note on the letter signed by you:—"Will be on hand tomorrow a. m., commence work as draughtsman. C. C. V."? A. I put him to work for a few days and found he could not do the work.

Q. He came from Washington Territory? A. He came from the east somewhere. He was unable to do the work.

Q. He was not a good man? A. Not used to railway work.

Q. Is Mr. McNeill in the room?

Mr. McNeill: Yes, sir.

The Commissioner to Mr. Van Arsdol: Q. What is the Peninsular Branch of the Northern Pacific, how far does it run? A. It runs from Hoquiam to the Straits some 150 miles along the Pacific coast; we constructed certain portions of it and made surveys of others.

Q. Now we will take up the engineers' applications, we were talking a little while ago about Mr. A. F. Cotton, who was employed by you on location work and the reasons for his dismissal. You found him unsatisfactory, was it through his want of experience? A. Well, want of experience was not the sole reason, it was also due to his habits.

Q. Do you know this of your own knowledge, or by experience? A. By experience.

Q. By personal experience? A. Yes.

Q. Mr. Cotton on the 20th August, 1903, wrote to Mr. Wainwright, general manager, Grand Trunk Railway, Montreal, Que.:—

"I have the honour to apply for employment on the surveys of the transcontinental railway about to be undertaken by your company. I might here state that I am very familiar with the country between the Pacific Coast and the Rocky Mountains from the International Boundary to Latitude 57, having travelled over it all seasons of the year.

"I was engaged for five years by the 43rd Mining Company operating on the Omenica River, I was the engineer in charge of their work and as such have had a good opportunity of studying the character of that portion of the district around the Parsnip river, I know every trail in that section as well as in the others.

"I am also a Dominion Land Surveyor as well as a Provincial Land Surveyor for the different provinces of the Dominion.

"I was on the survey from Port Simpson to the Skeena River for the Trans-Canada during the past spring.

"I can refer you to Mr. C. E. Perry, C. E., who is I believe at present employed by your corporation. Hoping this will receive your favourable consideration, I have the honour to be."

Mr. Perry reports that he does not know what experience he has had in railway work; that he is a good instrumentalist; was assistant to Mr. Hill's party Trans-Canada surveys at Port Simpson, and you put a note here that: "Mr. A. F. Cotton was employed as assistant engineer in September and discharged in January being incompetent (Mntn. division.) C. C. V."

I suppose there are a number here you have not heard of before, they made application, one is Mr. E. H. Pearce, of Montreal, he writes on the 27th May that you know him? A. I remember as far as I can recollect his having been employed on some railway a number of years ago.

Q. There is the same kind of a letter from Mr. Cecil Ewart, of Victoria, who says that he has acted as resident engineer under Mr. McMillen for over a year, and you reply to him that you will file his application for further reference.

Q. Then here is another man named A. D. McRae who wrote to Mr. Kyle who sent it to you with his reply to Mr. McRae which is dated April 20th, 1904, and reads as follows:—

"Dear Sir,—I have yours of the 14th inst., making application for position as assistant engineer in charge of a party.

"I am sorry to say that at present there is nothing I can offer you, but have placed your name on file and will keep you in mind should a vacancy occur. From your letter I would judge that your actual experience has been very limited.

"Yours truly,
"G. A. KYLE, Division Engineer."

Q. Mr. Kyle writes in pencil as a foot note: "I do not know him. G. A. K." A. This is the Mr. McRae, Your Honour, who produced a number of recommendations but Mr. Kyle says he does not know him.

Q. Now do you know Mr. James H. Kennedy, of St. Thomas? A. No, sir.

Q. I notice also letters of a similar kind from Mr. F. A. Devereux, of Victoria, Associate Member of the Canadian Society of Engineers, of February 12th, recommended by J. H. Gray. Who is Mr. Gray? A. Mr. Gray is an engineer in Victoria. He was in the employ of the Grand Trunk.

Q. He says:—"In any case I am able from a personal knowledge to bring Devereux's name to your consideration with the greatest confidence, and feel sure that if you can place him, he will be found at all times well qualified to perform any class of railway work he may be called upon to do. With kind regards."

The usual answer to that on March 7th: "As I have nothing to offer you at this time I have filed your letter for future reference."

Then there is a letter from Mr. John MacCunn, Member of the Canadian Society of Civil Engineers, Toronto, dated 29th January. He says his experience extends over 19 years, 12 of which is in Canada; it reads:

"Should you require any engineering assistance, I will be glad if you communicate with me, appointing a date for a personal interview. I can furnish the highest references. If I cannot be of use to you now or later on, I shall be greatly obliged to you if you will mention to me the names of any parties who may have work in contemplation, which may not be generally known, and to whom my services might be of value. I am, yours truly, John MacCunn, M. Can. Sc. C. E."

And the answer to that was apparently nothing but a note upon it made by Mr. Hansacker, "No reply made." Well, that is a pretty good available man. I am surprised you did not have him? A. I think that was answered here, I don't remember it.

Q. It seems natural that men in the position you occupy if you do not know a man that you will be impressed by letters from him? A. Some letters are very valuable, I believe in recommendations.

Q. If you do not know a man? A. I rely more on recommendations of men who are employed in that line.

Q. If he has not got any recommendations simply gives his services, that doesn't make much impression? A. No.

Q. Do you remember Mr. A. H. Legge as levelman? A. He was employed before I came here.

Q. Is he now in the service? A. I think he has left.

Q. Then Mr. Kyle applied, G. A. Kyle, to see if he could not get something for his brother. Do you remember that? A. Yes, sir.

Q. And your reply on the 3rd of March is here. Mr. G. A. Kyle, Winnipeg:—"Please have your brother report as soon as possible at Edmonton as draughtsman."

Q. Did you know Mr. Douglas Kyle? A. Not personally.

Q. You took the information of Mr. G. A. Kyle? A. Yes.

Q. You did not mention Mr. Hansacker's name when you were showing us the books in your office. Was he employed here in your office? A. He was employed temporarily just after I came over here, until Mr. Mellen followed over.

Q. He was employed in Edmonton? A. No, in the Victoria office temporarily until we could get another man.

Q. He was an American citizen? A. Yes.

Q. Was he instructed to get a man for you after he left? A. He did not employ any one.

Q. I see a letter to you from him dated March 9th, 1904, from Tacoma. That is where he resides? A. Yes, sir.

Q. He says in that letter:—

"Dear Sir.—This letter will be handed to you by Mr. C. M. Bassett and Mr. H. C. Nichoson, who are old employees of the Northern Pacific. Mr. Bassett has been chainman, rodman and instrument man on construction and was clerk in Mr. Cook's office in Seattle until recently. Mr. Nichoson has been topographer, instrument man and draughtsman. Both have given satisfactory services to the N. P., and I am sure they will do likewise for the Grand Trunk if you can give them employment.

"Yours truly,

"N. E. HANDSACKER."

Q. Do you remember this letter? A. What date is it?

Q. March last. A. Yes.

Q. This Mr. Nichoson is the one we have referred to. He wrote you on the 10th February, 1904, as follows:—

"Northern Pacific Railway Company,
"Seattle, Wash., 2/10/04.

...

"C. C. Van Arsdol, Esq.,
"Div. Engr., Grand Trunk Ry.,
"Victoria, B. C.,

"Dear Sir. "I understand that you are going to send out several parties in the field sometime this spring, and I want to make application for a position as leveller, topographer or draughtsman.

"I have been with the N. P. about four years on maintenance, preliminary location and construction. I took topography under Mr. A. C. Murdock in Eastern Washington and Idaho, and was afterwards draughtsman in the same party on the Columbia River. I left the latter job to take a position in Seattle on construction under Mr. T. H. Crowell, as draughtsman. I am still in this office under Mr. A. R. Cook, but expect to leave soon, as I want very much to get more field experience. Any favours you may do for me will be very much appreciated. I can refer you to any of the above named engineers.

"Yours respectfully,

"R. H. NICHOSON."

And you replied on the 13th February as follows:—

"Victoria, B. C., February 13, 1904.

"Mr. R. H. Nichoson,

"Seattle, Wash.,

"Dear Sir,—Your application of February 10th has been placed on file for reference, as soon as parties are put on the coast surveys, which will probably be early, when I think I shall be able to offer you a position,"

"Yours truly,

"C. C. VAN ARSDOL, Division Engineer.

A. That Mr. Handsacker is another Mr. Handsacker, he has not been in our employ.

Q. Do you know this Handsacker? A. Yes.

Q. Did you employ Mr. Bassett and Mr. Nichoson after receiving Mr. Handsacker's letter? A. They handed me that letter after their arrival here. They were employed some time later.

Q. Mr. Nichoson you took into your office for a time? A. Yes.

Q. And he is now out on party No. 18? A. Yes.

Q. And Mr. Bassett is out on 15? A. He has left the service.

Q. How long since? A. About the 25th or 26th of last month.

Q. Of May? A. I am not sure. He was out with Mr. Going.

Q. Both Mr. Bassett and Mr. Nichoson are American citizens? A. I think so.

Q. Of course, Mr. Mann told me in examination that he had Mr. Bassett there? A. Yes.

Q. How did Mr. Mann come to leave? A. He was relieved.

Q. You relieved him? A. Yes.

Q. On what grounds? A. Work not being satisfactory.

Q. He stated in evidence before me the other day that his work was satisfactory to himself and also to Mr. Kyle, as long as he was under Mr. Kyle? A. I do not know whether his work was satisfactory or not to Mr. Kyle, but he came under my supervision in December, since that time his work was not satisfactory.

Q. And you relieved him in consequence of that being so? A. Yes.

Q. Have you ever been in the habit of promoting your transitmen? A. Yes, they usually do that with the man who has had—

Q. Was not Mr. McVicar in that party. A. Yes, sir.

Q. Didn't you think he would be able to take charge of a party? A. He might be but we had Mr. Going who had just completed reconnaissance work and I placed him in charge.

Q. I understand that Mr. Sprague was first employed as transitman and then you promoted him to take charge? A. Yes.

Q. Was he a superior man to Mr. McVicar? A. I think he had more experience.

Q. The reason I ask this is that Mr. Kyle in examination spoke very highly of Mr. McVicar's qualifications? A. I think McVicar is a good man. I think he had charge of a party down there and gave satisfaction to Mr. Kyle.

Q. Mr. Mann spoke of Mr. McVicar's work as being very satisfactory. Now Mr. Peter Talbot, I notice here, applied by letter for a position. The letter is dated 23rd February, 1904, and is written from Bismark, N. D., and you appear to have telegraphed him on the 29th April, 1904: "If available level seventy-five. Report to C. W. Stuart at Hanley, Assiniboi. Wire me when you will leave"? A. Yes, sir.

Q. He is with Mr. Stuart? A. With Mr. Stuart.

Q. Then the telegrams on this file were those that were sent by you to Mr. Talbot? A. Yes, sir.

Q. And those received by you from him? A. Yes, sir.

Q. And also Mr. Gilbert Murray, he is with Mr. Stuart? A. I think he is with Mr. Armstrong.

Q. He is west of here then? A. No, east of here.

Q. He applied to you on 7th January, 1904. Do you remember this letter? A. Yes, sir.

Q. Then you wrote him on the 19th January, offering him a position and received a telegram from him accepting it. He was at that time at Sydney, N. S.? A. Yes, sir.

Q. Then there is his telegram to you as to when he shall arrive here and from you to him accepting it were sent and received respectively? A. Yes, sir.

Q. There is a letter here from J. Callahan, Bismark, N. D. dated May 5th, 1904, applying for a position. He was on the Jamestown railway? A. I don't know that man.

Q. Is he not really Mr. Callaghan? A. No, the latter is Callaghan and the other Callahan, an entirely different man.

Q. Did you not write to him that you had not commenced construction work? A. Yes.

Q. He was not employed? A. No, sir.

Q. And is a different man? A. Yes, a different man altogether.

Q. I see among your applications one from the American consul at Victoria, Mr Smith, on behalf of his son. You replied that if there was an opportunity to employ his son you would be pleased to give him a position? Did you give him a position? A. No, we had no place for him.

Q. You received a letter from Mr. Bacon? A. Yes, sir.

Q. He is harbour engineer? A. Yes, I have known him for a number of years.

Q. He writes on the 19th February, 1904, asking if you can find a place as axeman, chainman or similar position for a nephew of his for the summer he would be greatly obliged if you could give him a place in one of your parties. Were you able to oblige him? A. No, sir.

Q. Is this the first time you have had charge of a division as large as this? A. No, sir, I have had charge of more extensive work for about two years as chief engineer on the Union Pacific and on the Northern Pacific I have had extensive work. Not as many miles as here but in charge of more men and more parties, both on the Northern and on the other.

Q. Have you a personal knowledge of Canadian or British Engineers in Canada? A. I am personally acquainted with some of them, not many.

Q. What means did you take to employ Canadian or British engineers in Canada? A. I heard from Mr. Stephens, from Mr. Going, from Mr.

Gray, who was employed by the company while in Victoria, and met some in Victoria.

Q. That is all you have done in order to ascertain who were capable engineers in Canada? A. Yes, I only employed one or two.

Q. Since you came? A. That is all.

Q. Who have you employed? A. Mr. Callaghan besides Mr. Going and Mr. Cotton.

Mr. Cross: Who is the first man you employed? A. Mr. Going was the first I employed.

Q. Mr. Stephens recommended him? A. Yes.

Q. Mr. Cotton came after him did he? A. Yes.

Q. Mr. Going is a Canadian? A. Yes.

Q. Now all the other engineers were employed before you came here? A. Those on work here were working when I came here.

Q. There were four parties at work when you came, what engineers had been employed? A. There were parties 13, 14, 15 and 16, Mr. Staurt, Mr. Hislop, Mr. Armstrong, Mr. Mann, Jones and McNeill were at work when I came here.

Q. Then there has been only one vacancy filled? A. There have been two, Mr. Callaghan was hired and Mr. Going.

Q. You have had a large number of applications for locating engineers? A. Quite a number.

Q. Just look at this list of their addresses and see where most of them come from? A. I guess the larger number of applications were from the United States.

Q. Now just explain how you sent this telegram to Mr. Stephens regarding Mr. Darling. Why had you to get Mr. Darling's leave? A. It was simply as a matter of courtesy to the employer I was working for. I never considered it as courteous to a company employing you to leave its service until matters could be properly arranged.

Q. And that was the purport of this telegram to Mr. Stephens: "All right will offer same terms as Kyle provided you can arrange amicably with Darling. Please wire when you can leave." A. I presume so.

Q. Now Mr. Callaghan, what was he employed as? A. As assistant engineer.

Q. Where did you engage him? A. He was at St. Paul at the time.

Q. Did he not come to Edmonton himself? A. No, he was first offered employment in St. Paul and he reported here.

Q. You did not know where he came from. In your notice you state Bismark, N. D.? A. That is a different man.

Q. How do you spell his name? A. C-a-l-l-a-h-a-n, I think.

Q. What was he employed at? A. He was not employed at all.

Q. Now in the matter of the application of Mr. D. O. Lewis you will just notice here there is a Lewis on the list of engineers? A. Yes, on the list of applications. We had an application from Mr. Alfred Lewis, of Alaska.

Q. I suppose that it is possible you did not do this indexing yourself? A. No, it is done in the office by some of the employees.

Mr. Mowat: It will save time to look over the list of transitmen and see if Mr. D. O. Lewis is there?

Mr. Cross: He is, as transitman.

To Mr. Van Arsdol: How did you arrange with your assistant engineer for the employment of axemen, chainmen; do they engage them locally?

A. They use their discretion about employing the working men. With reference to the axemen or chainmen we get them around here.

Mr. Cross to Mr. Mowat: Have you that application of Mr. D. O. Lewis?

Mr. Mowat: Yes

Mr. Cross to Mr. Van Arsdol: Just look over this application. The engineers that you were employing were all locating engineers, were they not? A. All that I know of.

Q. Does Mr. Lewis' letter refer in any way to his having had experience in locating. He says something about locating snow sheds? A. He does not say where he has been on location surveys. He says: "I am assistant engineer on M. & S. branch," that might be on location.

Mr. Mowat: You did not write to him asking if he had been on location work?

Mr. Van Arsdol: No.

Mr. Cross: Now at this time, November 6th, you say to him: "We have not taken up work in British Columbia but expect to do so in the spring. Was there any work until the spring? A. I had no opening at that time.

Q. Now, how many transitmen have you employed since you came to take charge? A. Just one.

Q. Just one? A. I employed Douglas Kyle and Mr. Henderson.

Q. If you look over this list of transitmen you will see that a large majority— A. There have been other transitmen employed by Mr. McNeill, I don't know how many.

Q. You have only employed one yourself? A. Yes.

Q. Now, if you will look over that list you will see that the majority of transitmen you employed were also Americans? A. The majority of the applications we got for every position have been Americans.

Q. I presume they received the same reply as you gave to the Canadian applicants? A. The answers are of a similar character.

Q. No work to be done? A. Yes.

Q. Do you know how many levelmen you employed since you took charge? A. There have been quite a number.

Q. Where did you get most of these? A. Some here and some at different points.

The Commissioner: By whom employed? A. Some employed by me and some by the assistant engineers.

Mr. Cross: The majority of them have, I presume, been employed from local people, or people who have come looking for work? A. With the exception of one I think they all have been employed here.

Q. With the rodmen and chainmen, would the same thing apply to them? A. Rodmen and chainmen, I think they have all been employed here. Excepting those few that we have been mentioning here, but almost all the rodmen and chainmen we have been able to find locally, applied right here for work.

Q. Draughtsmen, now what draughtsmen have been employed since you waded in? A. There have been several and the different engineers at work have been trying to get competent draughtsmen and they find it very difficult to do so, to get draughtsmen who are used to that particular class of work.

Q. Do the difficulties of this class of work explain the distinction? A. Yes there is a difference between field draughtsmen for a railway party and mechanical draughtsmen. A mechanical draughtsmen is one who takes charge of office and that kind of work. It is a different kind of work to our

field work on surveys. A man to be a good draughtsman should be also a man who is capable of making a transitman or is acquainted with field work or the laying out of a line or culverts and figure on curves and properties of curves and used to that particular line of business.

Mr. MOWAT: In other words a draughtsman is a man who knows a little about everything connected with field work? A. Yes.

Mr. CROSS: Now in this correspondence which you have had with these applicants in all your letters you pointed out that construction work was not started? A. No, only where they have spoken of construction.

Q. That is all I have to ask.

THE COMMISSIONER: As soon as we get other returns I may ask him something.

Mr. MOWAT: Do you know Mr. Coldwell representing the St. Paul Despatch? A. No.

Q. Did he call to see you yesterday? A. He called at the hotel.

Q. He is a gentleman of pleasing manner and appearance. Mr. Coldwell is the gentleman here? A. Yes.

Q. He said he was going to report these minutes for the St. Paul Despatch? A. He said he was.

Mr. E. R. MCNEILL, sworn:

THE COMMISSIONER: What is your name in full? A. Edward R. McNeill.

Q. You are a civil engineer? A. Yes, sir.

Q. Of what length of experience? A. I have worked at the profession for 17 years.

Q. Where? A. In the States.

Q. In the United States? A. Yes, sir.

Q. Are you an American citizen? A. Yes.

Q. What position do you occupy on the Grand Trunk Pacific? A. District engineer for the Prairie West Division.

Q. This is within Mr. Van Arsdol's jurisdiction? A. Yes.

Q. Who employed you? A. Mr. Kyle.

Q. When? A. It was about the 15th August last, I believe.

Q. August or September? A. August, I think.

Q. Had you written Mr. Stephens before that? A. I had sometime in August, I think.

Q. Is this the letter you wrote to him?

"Havre, Mont., 8/9/1903.

"Mr. Jno. R. Stephens,
"Assistant Chief Engineer,
"Grand Trunk Railway,
"Montreal,

"Dear Sir,—Mr. Alex. Stewart, Resident Engineer, Spokane, advises me that he has mentioned my name to you in connection with positions you have to offer as division engineers on the Winnipeg and Coast divisions. As I understand the situation you wish to secure men to take charge of 500 miles divisions and whose duties it will be to explore, locate and construct the line. I beg to say that I am severing my connection with this road to take effect just as soon as a successor can be secured, and am open for propositions from other roads. Will state that I have been on railway work in the Rocky Mountains for the past 14 years and during the past 2½ years have occupied the position of Resident Engineer on the middle district extending from

Murat to Bonner's Ferry, also including the Montana Central Railway for 6 months just past, a total mileage of 1,600 miles.

"For reference will refer you to the following gentlemen: Mr. Jno. F. Stevens, chief engineer, Rock Island system, Chicago; Mr. A. H. Hogeland, chief engineer, Great Northern, St. Paul; Mr. Alex. Stewart, resident engineer, Great Northern, Spokane; Mr. P. E. Ward, general manager, Great Northern, St. Paul.

"I will be pleased to have you communicate with all of the above as to my ability, etc., and in case both positions referred to by Mr. Stewart are still open would be pleased to consider an offer from you. Will say in conclusion that I would prefer to go to the coast division on account of having spent so many years in the mountainous districts.

"Trusting that I will hear from you in the near future,

"I remain, very truly,

"E. R. McNEILL."

A. Yes, sir that is my letter of the 9th August.

Q. I found it difficult to ascertain whether the 9 is the month or the day of the week. That was written on the 9th of August? A. Yes.

Q. And Mr. Kyle communicated with you after that? A. Yes, sir, I suppose my application was referred to him.

Q. By Mr. Stephens? A. Quite likely.

Q. Have you the communication that Mr. Kyle sent you? A. No, sir, I have not, it was just a message.

Q. You have not got it? A. I am quite sure I have not.

Q. Will you look it up to-night, and see if you can find it? A. I will.

Q. What were you doing when you applied for this position? A. I was what was called a resident engineer of the middle district of the Great Northern Railway at that time.

Q. What salary were you getting when employed? A. $250 a month.

Q. When did Mr. Kyle employ you? A. Well, he offered me the position some time—I think about the 15th of August, it may have been the latter part, I have forgotten the exact date.

Q. Did you accept? A. I wired my acceptance. He asked me when I could report and I informed him that I could report September 1st. Of course it required considerable time to turn my business over to some other man.

Q. Under whom were you at that time, who was your chief? A. Mr. A. H. Hogeland.

Q. He is still chief engineer? A. Yes.

Q. Was transportation provided for you? A. No, sir.

Q. You had your own transportation? A. Had my own transportation to the Canadian line south of Winnipeg.

Q. And when did you arrive in Canada? A. I think about the 2nd of September, 1903.

Q. Was the position open for you at that time or was it provided after you came? A. I do not know as to what position was open, this was provided after I came here.

Q. How many other district engineers are there? A. I do not know, there is only one in Mr. Van Arsdol's divisions.

Q. That is Mr. Jones? A. I do not know whether he is on the eastern slope or not.

Q. Do you know whether Mr. Jones is an American citizen? A. I do not, he resides in Canada.

Q. I am told he has taken out papers and is an American citizen. Mr. Stephens told me that. You knew Mr. Sprague before he came? A. Yes, sir, Mr. Sprague worked for me for some three or four years.

Q. Did you invite him over here? A. No, sir, I cannot say I did. He was seeking employment and I advised him to go to Mr. Kyle, which he did. I had nothing to offer him.

Q. Is this the letter he wrote to Mr. Kyle? A. Yes, that is Mr. Sprague's letter and I simply advised him, I told him I had nothing to offer.

Q. What position did he receive when he came over here? A. On his arrival in Winnipeg Mr. Kyle did nothing for him, so he wired me here and asked if I had anything. Just at that time I wanted to send out a transitman with a few men to make an examination and I wired him offering him the position of transitman and he came out and reported about Christmas.

Q. How long did he continue as transitman? A. I think as long as he worked in my district. It was until some time in February of this year, about six weeks. Possibly it was two months, to March.

Q. When did he arrive in Canada, do you remember? A. The latter part of December, the day after Christmas, he did not go to work until January 1st.

Q. Is he an American citizen? A. I think he is.

Q. When was he appointed assistant engineer in charge of party No .18? A. When I got through with him on the work I had him looking up. Mr. Van Arsdol then, I believe, appointed him assistant engineer of the party and sent him west.

Q. Do you know the members of his party? A. No, sir. I don't think I know any of them. I met his transitman when he came in.

Q. That is Douglas Kyle? A. Yes.

Q. That is the only one you know? A. Yes.

Q. Do you know of any others you recommended to come here, or to apply for positions here? A. I believe I recommended Mr. Hare, of Superior, Wisconsin.

Q. He is with Mr. Callaghan, H. T. Hare? A. I think that is the gentleman.

Q. What was he doing when hired in Wisconsin? A. He had been on the Savannah railway for several years, I only know him by reputation.

Q. Is he an American citizen? A. I do not know him personally, I am not personally acquainted with the gentleman.

Q. When did he arrive here? A. I cannot say, I was not in Edmonton when he arrived.

Q. When was that, do you remember? A. I was out on the line the latter half of January and the first half of February. During my absence Mr. Hare came here and was sent to the field.

Q. It was January or February? A. The latter part of January or the first part of February.

Q. Where was he employed? A. On one of the branches of the Northern Pacific Railway.

Q. Do you know Mr. Callaghan? A. Yes, I am a personal friend of Mr. Callaghan's.

Q. He is in charge of No. 17 division? A. Yes, sir.

Q. How far is that from here? A. I should say 125 miles.

Q. How long would it take us to get there? A. I do not know. Providing how good a swimmer you are and how you like mosquitoes. It is a very difficult country—

Q. How long in your opinion, 10 days to get there? A. You cannot get over 15 miles a day. It is probably nearly 150 miles off, Callaghan's party is working west from here.

Q. So it might take a couple of weeks to go and a couple of weeks to return? A. If I was going to make the trip I would allow myself that time.

Q. And then Mr. Sprague is west of that again and it would take a longer time to reach him, it would take a month or six weeks to reach him? A. I would say it would, there are a number of streams there which are very high at this season of the year and it is also difficult to say whether you could reach him at all or not.

Q. Why did you come here, Mr. McNeill, when your remuneration was not different? A. It is a little better in the way of expenses. The nature of the work was what prompted me to make application. I like this work better and seeing an enterprise of so great a magnitude was desirous of being connected with it.

Q. Have you employed any engineers, transitmen, draughtsmen or levellers since you came here? A. Yes, sir.

Q. Who? A. I employed Mr. Henderson who is transitman for Mr. Hislop, party No. 14.

Q. Where did he come from? A. From Edmonton.

Q. Where did he belong? A. I think his father's home is in Chilliwack, B. C.

Q. He is a Canadian? A. He is a Canadian born.

Q. Any others besides Mr. Henderson? A. I employed Mr. Gunn, who is now draughtsman for Mr. Stuart.

Q. Where did he come from? A. He came from Index, Washington.

Q. How did you employ him? A. He is a young man, he has been working for me for three years.

Q. Did you write him? A. I wired him.

Q. What was he doing there? A. At that time he was doing nothing.

Q. Out of employment? A. Laid off a few weeks before.

Q. And when did he come here? A. Came here during my absence, I think about the 15th January. I wired him just before I left and I went away and he arrived.

Q. Is he an American citizen? A. I think he is.

Q. Any others besides Messrs. Gunn and Henderson? A. I believe I employed Mr. Armstrong's present draughtsman, Mr. E. H. Dodd.

Q. Where from? A. From some place in British Columbia, I forget where.

Q. How did you know about him? A. Through Mr. Armstrong, and he got his information from Mr. Driscoll who has an office here. Mr. Armstrong spoke to me.

Q. You knew nothing about him personally? A. I took him upon recommendation.

Q. Found him a capable man? A. He turned out a very good man.

Q. Any one else now? A. I employed Mr. Stuart's draughtsman.

Q. P. D. Barnett? A. Yes.

Q. Where did you employ him? A. I think his home is in Cowley, Alberta.

Q. When did you employ him? A. I think about the 20th December.

Q. Where was he at the time? A. He was at Cowley at his brother's home. I think he calls it his home.

Q. Where did he get his experience? A. He worked for me in the States about four years.

Q. Did he become an American citizen? A. I don't know. I am inclined to think not. I heard him speak of having a homestead here.

Q. Could he not have taken out papers as an American citizen even if he had a homestead here? A. I don't know.

Q. Any others? A. Mr. Hislop's present draughtsman. I employed Mr. Glanville.

Q. Where is he from? A. I think from memory he came here from Seattle.

Q. When did you employ him? A. I think on March 30th, 1904.

Q. Did you know him before that? A. No, sir.

Q. Who recommended him? A. He had, I think, two letters of application filed in the office here.

Q. As draughtsman? A. I think that is what his letter of application was for.

Mr. MELLEN: I think he had letters on file as draughtsman. Yes, W. J. Glanville, Winchester Hotel, San Francisco.

Mr. MCNEILL: However, the man applied here personally without any invitation.

THE COMMISSIONER: Any others, Mr. McNeill? This letter from Mr. Glanville dated January 6th, do you know whether that is his signature? A. I don't know as to that. It is not mine I am quite sure. He spoke of his application when he came. I am not acquainted with his handwriting.

Q. Any others besides those you have mentioned? A. Yes, Mr. Armstrong's leveller.

Q. Mr. Halifax Hall, when did you employ him? A. I think it was early in January.

Q. Where did he come from? A. Calgary.

Q. He lives there? A. Yes.

Q. His home is there? A. From what I understood.

Q. What experience had he? A. I am not familiar with his experience, but he was recommended to me to replace Mr. Hislop's draughtsman, Mr. Houghton, who left the service.

Q. Others besides these? A. I do not recall any now, however I might look up in the office.

Q. Do you know Mr. B. B. Kelliher? A. No, sir.

Q. You did not know him on the other side? A. No, sir.

Q. He is now assistant engineer of No. 10 east of here, you know nothing about the eastern men? A. No, sir.

Q. Do you know the secretary of the Western Society of Engineers? A. I don't know him.

Q. Do you belong to any society of engineers in the States? A. Yes, sir, I am a member of the Association, of the American Association of Engineers.

Q. The Western Society of Engineers that is not an association? A. That is a branch of the American Association of Engineers, they call it the Association of Engineers Society.

Q. Then the western associations are branches? A. Yes.

Q. In order to become a member of the American Association is it necessary that a man should be an American citizen? A. Not that I know of.

Q. Do you know any member who is not an American? A. Yes, I do, in the Montana society it is not necessary to become an American citizen to be a member.

Q. Now, do you remember Mr. H. C. Brice? A. Yes, sir, I am personally acquainted with him.

Q. Where is he employed? A. At Cardston, Alta.

Q. I don't know that place? A. It is a new town.

Q. What is he doing there? A. Well, Brice has been there for the past two years and was hired on location and construction of several miles of line for the Alberta Coal and Mining Company.

Q. Is he an American? A. I think he is.

Q. Has he applied for a position on the Grand Trunk Pacific Railway? A Yes, sir.

Q. What position has he applied for? A. I suppose he would not entertain an offer for any position except as engineer in charge of a party.

Q. He is a man you would not offer anything else to? A. No, sir, I would not offer him anything else.

Q. Have you recommended him for any position? A. I think I did to Mr. Van Arsdol verbally.

Q. Now, have you obtained applications that were sent in to other divisions or to the head office, so that you can choose from them in appointing men? A. Well, I have given to Mr. Van Arsdol a list of applicants.

Q. Only? A. Besides applicants I have given names.

Q. Applications to other divisions that have been submitted? A. Coming from Mr. Van Arsdol to me?

Q. Have you any knowledge of Canadian engineers or engineers in Canada, a personal knowledge of them? A. Well, I have been associated with four of them since last September.

Q. Which four? A. Stuart, Hislop, Armstrong and Mann, that is Mann until December, about two months.

Q. These are the only ones you have had any knowledge of? A. Since I have been here, I have been associated with them in the States.

Q. You have met them over in the States? A. Yes.

Q. Have you any clerk at all? A. Why, Mr. McD. Mellen was sent to me from Winnipeg as clerk.

Q. He is with Mr. Van Arsdol. You use Mr. Van Arsdol's office? A. I have desk room in a separate room.

Mr. Mowat: Was it you that conducted this correspondence by wire with Mr. Peterson? A. I believe it was conducted by Mr. Mellen and myself.

Q. Mr. Van Arsdol gave you authority? A. He was away at that time.

Q. You knew Mr. Peterson before? A. No, sir, I did not know him personally.

Q. You were in need of a draughtsman? A. We wanted one very badly.

Q. And sent to Mr. Peterson? A. Wired him.

JOHN McD. MELLEN, sworn:

THE COMMISSIONER: What is your name in full? A. John McD. Mellen.

Q. What position do you occupy on the Grand Trunk Pacific? A. Chief clerk to Mr. Van Arsdol, division office.

Q. How long have you been acting as such? A. Since about the 1st of September last.

Q. Who employed you? A. Mr. Stephens.

Q. That is Mr. J. R. Stephens, assistant chief engineer? A. Yes.

Q. How did he employ you, by letter or by wire? A. No, it was in a personal way I might say, that is at Montreal. I was in his office when he sent me out to Victoria.

Q. You were in the Montreal office? A. Yes.

Q. How did you come to be in Montreal then? A. Well I was sent for down in Arizona. I went up there without a position.

Q. What were you doing in Arizona? A. I was in a mercantile establishment, a mining company.

Q. When were you sent for? A. Some time I think about the 1st of July.

Q. Was it your brother who was then employed in Montreal, that sent for you? A. Well, I got a wire over Mr. Stephens' signature to come to Montreal, but I had no position.

Q. It was Mr. Stephens' telegram reached you, not your brother's letters? A. No.

Q. You had been corresponding with your brother before that? A. Yes, sir.

Q. Were you seeking employment? A. Yes, sir.

Q. You were asking your brother to get you a situation in Canada? A. He was in Montreal and I wanted to leave Arizona and looked upon Montreal as a good place for employment, so I asked him if there was anything there to do.

Q. Were you in South Africa? A. No, sir.

Q. One of the family was quite enough? A. I suppose so.

Q. When did you reach Canada? A. I think it was about the 15th of July, 1903.

Q. Then you saw Mr. Stephens? A. Yes.

Q. And what position did he offer you? A. I was employed at the time I went in Mr. Stephens' office. When I arrived in Montreal there was nothing to do and I stayed there for a while. Mr. Stephens' stenographer left him and so in the meantime I went to work in Mr. Stephens' office as stenographer. I also opened up a set of books there for him and I subsequently got this position with Mr. Van Arsdol out at Victoria, coming out when Mr. Van Arsdol was appointed in Victoria and I was employed there.

Q. You went out to Victoria from Montreal? A. Yes.

Q. What were you receiving in Arizona? A. The stipulated salary was $1,800, but I was making about $2,000 a year there.

Q. You did not get that much here? A. No.

Q. Why did you leave to take a position here? A. For reasons between the company and myself, between the manager of the company and myself.

Q. Could you have remained there? A. Yes. I resigned.

Q. In order to come here? A. Yes.

Q. You are, like your brother, an American citizen? A. Yes, sir.

Q. I think they are only giving you $100 a month, is that all? A. That is all.

Q. Could you find the correspondence you had with your brother and Mr. Stephens? A. I had no correspondence with Mr. Stephens, with my brother it was simply a personal letter.

Q. You were seeking employment through your brother? A. I simply wrote him and thinking Montreal a large city that I might have a chance there.

Q. Was it in consequence of that, Mr. Stephens wired you? A. Yes.

Q. What did you do with that message? A. I destroyed it, being a personal matter I did not keep it.

Mr. Mowat: There are a number of applications here from people that seem to be prominent engineers that have got into the file used for transitmen, how is that? A. These applications seemed to be from men who did not appear to be exactly qualified for positions as locating engineers.

Q. Did you discuss the file with Mr. Van Arsdol? A. We generally talked over it.

Mr. Cross: Some of these may have been put in through error or mistake? A. Very possibly.

The Commissioner: By the way, what other clerks are there in the office besides yourself and Mr. McEdwards? A. There are no others.

Q. Morgan is a little lad? A. Yes.

Q. How much do you give him? A. $10.

Q. A week? A. No, a month.

Q. What salary do you give Mr. McEdwards? A. $75 a month.

Mr. Cross: You were in Montreal some little time before date of your employment? A. Yes, I was there some little time before I went to work.

The Commissioner: What do you mean by going to work, did you not go into Mr. Stephens' office immediately? A. Well, I went in as stenographer only, until some definite position turned up. I was in hopes that there might be something but there was nothing definite.

Q. You just went into Mr. Stephens' office as stenographer? A. When I went to Montreal I was in hopes that something would turn up.

Q. When Mr. Stephens had wired you to come? A. Yes.

Q. What did you do? A. They told me there was nothing.

Q. Your brother or Mr. Stephens? A. Both of them.

Q. What did Mr. Stephens say? A. Mr. Stephens said there was nothing just then, but I supposed there might be some employment later.

Q. How long after? A. A few days.

Q. How many days, three? A. I went to the office in the first place, and worked on the books, but do not remember the date.

Q. Did you work on the books before you acted as stenographer. A. No.

Q. When did you commence work as stenographer? A. Within a few days.

Q. Three or four days? A. Yes.

Q. Who directed you to work on the books, Mr. Stephens? A. Yes.

Q. And from the time you worked on the books you have been employed ever since? A. Yes.

Q. Was your salary paid from that time? A. Yes, I think from the 15th, 16th or 17th of July.

Q. And when did you reach Montreal? A. On the 15th July.

Q. Your salary commenced from that date? A. I think it was the 16th or 17th. When I went at first they said they had nothing. There was nothing definite when I got there.

Q. What salary did they pay you at that time? A. I think they paid me $90 for the first time.

Q. Until you went west to Mr. Van Arsdol? A. No, I think it was when Mr. Van Arsdol came to Edmonton that it was increased to $100.00.

ALBERT SEYMOUR GOING, being sworn:

THE COMMISSIONER: What is your name in full? A. Albert Seymour Going.

Q. Your position is civil engineer? A. Yes, sir.

Q. Where did you study for engineer? A. In the United States.

Q. How long? A. I entered the field in January, 1880.

Q. Did you graduate from any college? A. I had been studying about three years.

Q. In what institution did you study? A. I was studying under private tutors and also in higher academies.

Q. You were born in the United States? A. Yes, but I am a naturalized British subject.

Q. How long have you remained in the United States? A. I first came to British Columbia in 1884 and remained there about a year and after that I came over to British Columbia in 1890.

Q. Where did you go after that year and a half? A. I returned to the United States.

Q. Where was your home in the United States after that time? A. My parents resided in Portland, Oregon. Before I was married I always claimed Portland, Oregon, as my home.

Q. Do you know Mr. Mayer? A. I cannot say, but I think I know the man.

Q. Not as well as Mr. McVicar knows him? A. Well hardly I think. I cannot place him. I think he was on the Northern Pacific about 20 years ago.

Q. Then you remained at home until 1884 and came to British Columbia and remained here a year and a half. A. I returned to the Northern Pacific Railway to July, 1886.

Q. Then you left in July, 1886, for British Columbia? A. I did not return to Canada until Christmas, 1890, only my home was in Canada because I married in British Columbia.

Q. You married a Canadian? A. My wife is a British Columbian not a Canadian.

Q. When were you married? A. In April, 1887.

Q. You came back to get married? A. Yes.

Q. And left your wife here? A. I took her with me to the Pacific Coast, Idaho, Washington, Oregon.

Q. How long did you remain over on that road? A. Well, I was on the Oregon Pacific in 1886, on the Seattle and Lake Shore and then in the winter of 1887-8 I returned to the Oregon Pacific where we remained until the fall, when I became city engineer in 1888.

Q. Could you do that without becoming a citizen of the United States? A. I did not become a British subject until 1892.

Q. Not when you got married? A. No.

Q. In 1892 you returned to British Columbia? A. I returned there in 1890.

Q. How long did you remain? A. I have resided in British Columbia ever since.

Q. You have been employed on the other side since then? A. No, sir.

Q. Now, who compose your staff? A. Mr. McVicar is transitman; Mr. Money is draughtsman; Mr. Pringle is leveller, and Mr. Black is topographer.

Q. Mr. Black? A. Mr. Black, yes, a new man from Ontario.

Q. Now Mr. McVicar belongs to Ontario? A. I think he does, I have never asked him.

Q. Where is Pringle from? A. From Nova Scotia.

Q. Who employed him? A. I only came here in April and took charge of the party on the morning of the 19th May, so I have only been a short time with them. They were all out there when I took charge.

Q. No. 15, is it? A. No. 16.

Q. Do you know Mr. Bassett? A. I paid him off on the 26th May.

Q. He was an American? A. Yes, he was rodman.

Q. Now have you got Mr. Ward there? A. No, he left the party about the 1st June. He has been sick and I told him he had better resign.

Q. Is he an American? A. I don't know, I never asked him.

Q. Well, Thomas McNamara? A. Left party on 26th.

Q. Got any left? A. Well, I made a few changes. He left on 26th May.

Q. He was an American? A. I understood so.

Q. Mr. McRae? A. His father is a British subject. I asked him in camp on Friday morning and understood his father to be a British subject and he would be a British subject by adoption, he is under 21 years.

Q. Where did he come from? A. From Idaho.

Q. He has a family over there? A. Yes.

Q. Now what about Mr. Black? A. Black is from Ontario, a Canadian.

Q. Sure? A. That is what I understood.

Q. F. Steele Black, where from? A. Mr. Black came from Ontario.

Q. He came from Port Colborne? A. I don't know.

Q. Did he not come from Boston?

Mr. VAN ARSDOL: No, sir, he came from Ontario.

Q. Do you know Mr. Kidman? A. Yes, sir. He was out on reconnaissance for me last winter.

Q. Is he there still? A. He finished his work about the middle of February.

Q. Where is he now? A. In Victoria.

Q. What is he? A. Born of an English family, removed to Montreal several years ago and has resided there ever since. He has resided in Victoria for I think 15 years.

Q. Who is Mr. McLeod, he is in charge of an office at Victoria, do you know him? A. Yes, I am personally acquainted with him.

Q. And you have informed me of the only Americans on your party? A. Yes, I only had two Americans and they came in with me the other day, just now all the others are British subjects.

Edmonton, Alta., 14th June, 1904.
10 a. m., at Town Hall.

The Commission resumes:

Present: HIS HONOUR JUDGE WINCHESTER, Commissioner,
" H. M. MOWAT, Esq., K. C., Counsel for Government,
" C. W. CROSS, Counsel on behalf of the Grand Trunk Pacific Railway.

Mr. JOHN ARMSTRONG, being sworn:

THE COMMISSIONER: What is your name in full? A. John Armstrong.

Q. You are a Canadian, I understand? A. Yes, sir.

Q. You have charge of party No. 15, Grand Trunk Pacific survey? A. Yes, sir.

Q. West of Edmonton or east? A. East of Edmonton.

Q. How long have you been in charge of that party? A. Since 1st September, 1903.

Q. Do you know who is in charge of No. 14? A. James Hislop.

Q. Do you know Mr. Hislop. A. No, sir.

Q. Do you know any of his party? A. I know his transitman, Mr. Henderson.

Q. How long have you known him? A. About a year, I think.

Q. Where did he come from? A. I think from British Columbia last, I do not know his native place.

Q. Are you a member of the Canadian Society of Engineers? A. Yes.

Q. How long have you been a member? A. About a year now.

Q. About how many Canadian members are there in that society? A. I really could not say, sir.

Q. Have you any idea? A. No, I have not any idea.

Q. Have you seen their annual report? A. Yes, I have seen the report and in it a statement, but I forget how many.

Q. About 500? A. I would say about that number.

Q. Do you know many of these personally? A. Not a great many, probably 25 or 30.

Q. Are they as engineers capable of conducting a party? A. Some of them are.

Q. How many? A. Probably half a dozen.

Q. Who? A. There is Mr. Macfarlane, Mr. Burns and Mr. McLeod, I cannot think of any others.

Q. Where are they? A. They are working on the Canadian Northern.

Q. How long have they been working there? A. A number of years, four or five.

Q. Do you know what salary they are getting? A. $150 a month I think.

Q. Any others besides those you have mentioned that you know? A. I cannot just recollect now.

Q. Have you seen any applications sent in by any engineers to the Grand Trunk Pacific for employment. A. Do you mean for such position as charge of a party?

Q. For such a position? A. No, I have not.

Q. What then have you seen? A. I have had a good many applications myself personally for transitmen, levellers, rodmen, etc.

Q. By whom? A. I do not know the people, they are usually from young fellows out of the School of Science, Toronto.

Q. Have you a list? A. No.

Q. Have you their applications? A. Probably a few.

Q. Did you hand them over to Mr. Van Arsdol? A. No, I did not.

Q. Did you employ any one who applied to you in that way? A. Yes, my present transitman, Mr. Rossiter, I employed him.

Q. Where was his application from? A. He applied to me when I first organized a party here last autumn.

Q. Where was he from? A. He was working on the D. P. R.

Q. Where? A. Out on Beaver Hills here.

Q. How long? A. Pretty much about a year.

Q. Where did he come from? A. The State of Illinois.

Q. Is he an American citizen? A. I think so.

Q. Is he here to-day? A. Yes, sir.

Q. Any one else you employed? A. Not directly, my draughtsman, I employed him.

Q. What is his name? A. Mr. E. H. Dodd.

Q. Where did you employ him? A. He had written to Mr. Driscoll here and I asked Mr. Driscoll and he recommended Mr. Dodd.

Q. Where did Mr. Dodd come from? A. He had been working at Sudbury and British Columbia.

Q. At what? A. Mostly mining, I think.

Q. I understood he was a naval engineer? A. He is an Englishman and had some training in the navy.

Q. Is that his position? A. I don't know what his position was in England.

Q. How many have you in your party? A. About 14 at the present time?

Q. That is transitman, leveller, draughtsman, who is your topographer? A. Mr. Murray.

Q. Gilbert Murray? A. Gilbert Murray.

Q. You forgot his name? A. Yes, never thought of that when I sent the list.

Q. Where does Mr. Murray come from? A. From Cape Breton, I think.

Q. Do you know where he was employed before that? A. No, sir.

Q. Are you aware that he came from Boston? A. I heard he came from Nova Scotia.

Q. You employed Mr. Murray? A. I did not, Mr. McNeill did.

Q. How did you come to omit him on this list? A. It was an oversight entirely.

Q. Then besides those I have mentioned you have two chainmen, four axemen, a cook, a teamster, that is all, is it? A. That is all.

Q. The chainmen, axemen and teamster, as well as rodmen are all Canadians? A. Yes, Canadians.

Q. Picked up these men locally? A. Yes.

Q. You had also Mr. Bolger? A. Yes.

Q. You discharged him? A. Yes.

Q. He was a draughtsman, you found him incompetent? A. Yes, sir.

Q. And Mr. Adkins, leveller? A. Yes.

Q. You also discharged him? A. Yes, sir.

Q. In consequence of incompetence? A. Yes.

Q. Now Mr. Hall is your leveller. A. Yes, sir.

Q. How long have you had him? A. He came in January.

Q. In January last? A. Yes.

Q. Where was he employed? A. He had been a good deal out in British Columbia, I believe. He has been on the C. P. R. and has done engineering work for 25 years I suppose.

Q. He is an Englishman, I understand? A. Yes, in fact he is a Canadian by this time.

Q. Do you take instructions from Mr. Jones? A. No, sir.

Q. Is he not in charge of the district in which you are? A. He is entirely west of me.

Q. Mr. McNeill is your district engineer? A. Yes, sir.

Q. Do you know whether Mr. Jones is an American citizen or not? A. I do not know.

Q. Who would know? A. I do not know, I am not sure.

Q. Has he any relatives around here? A. He has some relatives at Lacombe. Thomas Jones is his brother.

Q. No relatives in town here? A. No, they do not live in town. Lacombe is about eighty miles from here. I understand his brother has been in Canada a considerable time. I have known him for a number of years.

Q. I have heard he had taken out American papers? A. It might be.

Q. You cannot tell who would know here? A. No, sir.

Q. Would his brother know? A. I should think so.

Q. What does he do? A. He is farming or ranching.

Q. Would a telegram reach him at Lacombe? A. A telegram or telephone, I think either one.

Q. Who of your party have been employed and discharged besides those you have given? A. Quite a number of axemen have been discharged.

Q. None of the staff? A. No, sir.

Q. This staff of an engineer is composed of a transitman, a leveller and a topographer? A. Yes, sir.

Q. Then you have at present the same staff as you had when employed except Bolger and Adkins? A. That is all.

By Mr. MOWAT: Where did you receive your training? A. I have had most of my experience with the Canadian Northern.

Q. What other railway before the Canadian Northern? A. That is the only one.

Q. How many years in the field? A. About seven or eight.

Q. These young fellows that applied to you came mostly from the School of Practical Science, did you employ any of them? A. No, sir, because I had no place for them—I had a full staff.

Q. I suppose it comes natural to a man who is responsible for the work of a party to employ parties who are known to him preferably to strangers? A. Yes, sir.

Q. Do you know a Mr. Morgan, of Winnipeg? A. No, sir.

Q. Do you know a Mr. Ballard, of Lethbridge? A. No, sir.

Q. D. O. Lewis? A. No, sir.

Q. Arthur Daly? A. Yes, sir; I hardly know him, I know who he is.

Q. An engineer of some experience? A. I should say so.

Q. Living in British Columbia? A. Yes.

Q. Good work? A. I don't know that.

Q. Has a good reputation among engineers? A. Well, I cannot say that.

Q. Do you know John Irving? A. I seem to know the name; is he a Dominion Land Surveyor?

Q. He is an all round man. A. I think I know him.

Q. J. H. Kennedy, St. Thomas? A. I don't know him.

Q. Mr. John MacCunn? A. No, sir.

Q. Where was your home before you came up here? A. Toronto.

Q. Have you got any brothers or relatives in that Province? A. No, sir.

Q. Are you a graduate of the School of Practical Science? A. Yes.

Q. What year? A. 1895.

Q. Are you acquainted with the C. P. R. engineers? A. Pretty well.

Q. Do you know John Woodman? A. Met him once or twice.

Q. Never worked under him? A. Yes.

Q. James Hesketh? A. Yes, sir, very well.

Q. Mr. Busteed? A. Yes, sir.

Q. Are you an Associate Member of the Canadian Society? A. Yes, Associate Member.

Q. Have you ever attended any of their annual meetings? A. No, sir.

Q. How many associate members are there? A. I think about 25.

Q. You think about 25 members, you would know? A. Yes.

Q. As a member of that society and with your knowledge of them, are there a sufficient number of Canadian engineers, members of this society and men you have met who could form the different staffs of these locating parties without the necessity of employing citizens of another country? A. I really cannot say that.

Q. You do not know enough men out of employment? A. Certainly not.

Q. Your work had been largely in the field during the last two years? A. Altogether.

Q. Away from large centres? A. Yes.

By Mr. Cross: You have been working out in this country most of the time? A. Yes, west of Winnipeg entirely.

Q. And the last two or three years in this vicinity? A. Yes, sir.

Q. Where were you working when you first went to the Canadian Northern? A. The north-west portion of Manitoba.

Q. So you have been out west the entire time? A. Yes.

Q. And before you took this position you were employed in the town of Edmonton? A. Yes. Six months as engineer of the town.

Q. During the time you were at work with the Canadian Northern you were out near Edmonton all the time? A. Yes, during a couple of years.

Q. And pretty well acquainted with engineers and others wanting work in this railway division? A. Yes.

Q. Do you know of any men in this western country out of employment who could have been engaged in these higher positions on the Grand Trunk Pacific? A. No, sir, I do not know of any one.

Q. Who would be capable of taking any one of these positions, positions of assistant engineer, district engineer? A. Yes, sir.

Q. A good deal of your work for the Canadian Northern was between Edmonton and Winnipeg? A. Entirely between Edmonton and Winnipeg, I have also done some work west of Edmonton.

Q. Now these applications which you received you looked upon as personal applications to you? A. Yes, sir, they were personal.

Q. Merely letters written to you? A. Yes, I was known as a graduate of the School of Science and received letters from other young fellows in that school.

Q. You stated that you were not able to fill these positions because of not having any? A. Yes.

By Mr. Mowat: You were saying to my friend that you did not know of anybody out here out of employment in this district? A. Not that I am aware of.

Q. Mr. J. H. Armstrong, of St. Catharines, is he any relation of yours? A. No, sir.

Q. Do you know him? A. I have heard of him.

Q. He is I think a capable engineer? A. That is my opinion.

Frank S. Rossiter, being sworn:

By The Commissioner: What is your name in full? A. Frank Stuart Rossiter.

Q. You are transitman with party No. 15 on the Grand Trunk Pacific? A. Yes.

Q. Who employed you? A. Mr. Armstrong.

Q. Where? A. Edmonton.

Q. Where were you from? A. Within a short distance of Edmonton.

Q. What were you doing? A. I was draughting for Mr. C. S. Gzowski.

Q. How long had you been working with Mr. Gzowski? A. On that party since November, 1902.

Q. Where did you come from when employed by Mr. Gzowski? A. I came from Field, B. C.

Q. How long had you been there? A. Something like six months.

Q. Where did you come from to that place? A. Winnipeg.

Q. How long had you been in Winnipeg? A. I think about three days working in the construction office of the C. P. R.

Q. They sent you out then to Field? A. Yes.

Q. And from there you went to Edmonton? A. Yes.

Q. Where were you when employed by the C. P. R. first? A. I wrote from Chicago. I was in Winnipeg when employed.

Q. Did they wire you? A. They wired me to come.

Q. What year was that? A. Considerably over two years ago.

Q. Were you born in the States? A. Yes.

Q. And are still an American citizen? A. As far as I know.

Q. You are still an American citizen? A. Yes.

Q. Do you know Mr. Murray? A. Only since I met him here.

Q. You did not know him in the States at all? A. No, sir.

Q. He was from the east and you were from the west? A. Yes.

Q. Do you know Mr. R. W. Jones? A. Yes, worked under him.

Q. Do you know whether he is an American citizen or not? A. I cannot say.

Q. Never had any conversation? A. I have heard indirectly, but I do not recollect. I don't know whether I have had any direct conversation with him.

Q. What was your opinion? A. I understood he was a Canadian, of course that was only hearsay.

Q. Do you know any of the other parties in connection with this work? A. Do you mean east or west of us?

Q. Do you know Mr. Hislop? A. No, sir, I am acquainted with Mr. Stuart.

Q. He is a Scotchman? A. Yes, I think so.

Q. You have been here for nearly three years? A. I am about finishing my two years.

Gilbert Murray, being sworn:

By The Commissioner: What is your name in full? A. Gilbert Murray.

Q. What position do you occupy on the Grand Trunk Pacific? A. Topographer.

Q. To party No. 15? A. Yes.

Q. You applied for a position from Sydney, N. S.? A. Yes, sir.

Q. In January of this year? A. Yes, sir.

Q. You had been living in Nova Scotia for some two or three years previous? A. About two years.

Q. Acting as engineer? A. Yes, sir.

Q. Had you any experience in railway location before that? A. No, sir.

Q. You had some experience in Boston? A. Yes, sir.

Q. What experience had you in Boston? A. In a private engineer's office.

Q. Were you born in the United States? A. Yes, sir.

Q. And you are an American citizen? A. Yes, sir.

Q. Do you know any other parties other than in party No. 15? A. No, sir.

Q. This is the letter you wrote to Mr. Van Arsdol applying for a position? A. Yes, sir.

Q. Dated January 7th, 1904?

"Sydney, Nova Scotia, January 7, 1904.

"Mr. Van Arsdol, C. E.,

"Chief Engineer, Grand Trunk Railway,

"Edmonton, Alberta,

"Dear Sir,—I notice by one of our local papers that you are preparing to begin work on the surveys for the location of the new Trans-Canada R. R. at the opening of next season.

"My services with the Town of Sydney terminated December 31 and if you have not already made up your staff I wish you would consider this application.

"For the past two years I have been connected with the Town of Sydney, first as engineer and inspector of the pipe lines of the new water system and later in charge of water works construction. During this time I have had experience in construction of sewers and general municipal work.

"Previous to coming here I was for two and a half years in an engineer's office in Boston, where I had experience in the work usually done by a private firm of engineers and surveyors, such as surveys with calculations and divisions or properties into streets and lots and staking out in the field, contour surveys of different kinds and calculations of earthwork and masonry.

"I am thoroughly familiar with geometry and trigonometry, such as used in calculation of traverses and triangulations and also with use and adjustments of both transit and level.

"I can obtain excellent recommendations from both Mr. Yorston, Town Engineer, and from my former employer in Boston if you desire them.

"Trusting you will consider this application favorably when you are making up your field staff.

"I remain, your obedient servant,

"GILBERT MURRAY."

Box 238, Sydney.

Q. And he answered you by this letter of January 19, 1904? A. Yes, sir.

"Edmonton, January 19th, 1904.

"Mr. Gilbert Murray,

"Box 238, Sydney, N. S.,

"Dear Sir,—Your application of January 7th is received. I can give you a position as topographer at $50 per month and expenses. You will, however, be expected to bear your own expenses to Edmonton. If you desire to accept position advise me by wire immediately on receipt of letter.

"Yours truly,

"C. C. VAN ARSDOL, Division Engineer."

Q. Then this is your telegram of January 26, 1904:

"Sydney, N. S., January 27, 1904.

"C. C. Van Arsdol,

"Edmonton.

"Letter received will accept position at salary stated. Wire Sydney.

"GILBERT MURRAY."

A. Yes, sir.

Q. And on 27th of January he telegraphed you to this effect?

"Edmonton, January 27th, 1904.

"Gilbert Murray,

"Sydney, N. S.,

"All right, can give you position if will come immediately.

"C. C. VAN ARSDOL."

A. Yes, sir.

Q. And you replied by telegram of the same date:

"Will leave for Edmonton immediately."

A. Yes, sir.

Q. And since then you have been working on the Grand Trunk Pacific?

By Mr. MOWAT: Mr. Yorston was he on the engineering staff? A. Yes, sir.

Q. Was he a graduate of the Royal Military College? A. Yes, sir.

EDWARD HOWES DODD, being sworn:

By THE COMMISSIONER: What is your name in full? A. Edward Howes Dodd.

Q. You are draughtsman with party No. 15 on the Grand Trunk Pacific? A. Yes, sir.

Q. When were you employed? A. About the 28th of November, 1903.

Q. By whom were you employed? A. I received a telegram from Mr. Driscoll and then at Calgary I received a telegram sent, I think, by Mr. J. R. Armstrong to meet him.

Q. How long had you been in the country before this? A. Eight years.

Q. Where were you? A. I have been mostly in Ontario and the Sudbury district.

Q. Engaged as draughtsman? A. As mining engineer putting up a smelting plant there.

Q. Do you know any other members of the other parties engaged on the Grand Trunk Pacific? A. I know Mr. Meriton and Mr. Henderson.

Q. You know Mr. Henderson? A. He is now running north.

Q. He is a Canadian? A. I think he is an Englishman.

Q. How long since you met him? A. I met him about three years ago.

Q. Then besides Mr. Henderson? A. I think Mr. Robert Laird is an employee of the Company.

Q. As what? A. In charge of a party I think on the Grand Trunk.

Q. Not in connection with this survey? A. I suppose not.

Q. Anyone else? A. Mr. L. D. Rourke.

Q. He is not on the Grand Trunk Pacific? A. He is running a line for them, I think, Mr. Laird is on the main line.

Q. Any others that you know? A. Not that I know.

Q. Do you know Mr. Hislop of party No. 14? A. No.

Q. Do you know Mr. Jones, the district engineer? A. No, I do not know Mr. Jones.

JOHN DUNCAN MCVICAR, being sworn:

By THE COMMISSIONER: What is your name in full? A. John Duncan McVicar.

Q. You came from east of Winnipeg? A. Yes, sir.

Q. Whereabouts is it you live? A. My home is at Winnipeg, I lived in Rat Portage for a time.

Q. That is where you came from to here? A. I was employed by this company right there.

Q. You are a transitman with No. 16? A. Yes, sir.

Q. Under Mr. Going? A. Yes, sir.

Q. Formerly Mr. Mann? A. Yes, sir.

Q. Before that Mr. Mayer? A. Yes, sir.

Q. What was the number of his party? A. I think it was party No. 2, Thunder Bay. I really don't know the district. It was east of Winnipeg. Two or three, I am not positive.

Q. Prior to Mr. Mayer, it was Mr. Mann, were you under him? A. No, sir.

Q. Was Mr. Mayer the first engineer you were under? A. Yes, sir, for this company.

Q. When were you employed? A. 16 May, 1893.

Q. You were assigned to Mr. Mann's charge? A. Yes, I was assigned to Mr. Mann first and then to Mr. Mayer.

Q. Mr. Pim had charge of the same? A. No, they were different parties.

Q. Did you take charge of Mr. Mayer's party yourself personally for a time? A. Yes, sir, I did for a couple months, then when he came out for about six weeks.

Q. Was your work satisfactory then? A. As far as I know I think it must have been, or I would have probably heard of it.

Q. Well, I may mention that Mr. Kyle speaks of your work very highly as being satisfactory. What is your experience as engineer? A. Nine years practical experience in the field.

Q. In connection with what lines? A. The C. P. R. in British Columbia.

Q. You consider yourself capable of taking charge of a party in connection with this line? A. Yes, sir, I do.

Q. Have you been offered such a position? A. No, sir, I have made application, waiting my turn.

Q. Mr. Mayer was an American? A. As far as I know, well I do not think that he was, he was of German extraction.

Q. He lives in Portland, Oregon? A. I believe so.

Q. What was the difficulty between him and the men? A. I don't know.

Q. You have a pretty good idea? A. He was rather hard to get along with, something of a crank.

Q. Did he go out on the survey himself or remain in charge of the camp and make you go out on survey. How is that? A. I guess he has been himself the best part of the time in camp. We did not see him much on the line.

Q. There was a Mr. Kerle there, was he there in your time? A. Mr.?

Q. Kerle? A. No, sir.

Q. Did you succeed him? A. No, I was the original transitman of the party. I may have succeeded him.

Q. Probably Mr. Mayer may have sent him further west after you? A. He never spoke to me of it.

Q. Was your party broken up? A. I really don't know, I came west immediately afterwards returning to Winnipeg.

Q. You refused to remain with Mr. Mayer? A. Yes, sir.

Q. And Mr. Kyle appointed you to where you are now? A. Yes, sir.

Q. Do you know if it is usual to promote transitmen to engineers in charge on the different lines, C. P. R. for instance, or this line? A. Yes, it is usual when they become capable of taking charge, I have seen a number promoted.

Q. How long have you been in Canada? A. All my life.

Q. Born in Canada? A. Yes.

Q. Came from Scotch stock apparently? A. Yes, sir.

Q. Do you think you could have taken charge of the party you were in on Mr. Mann being retired? A. I think I could.

Q. You did not apply for the position, however? A. No, I did not apply for the position, I wrote Mr. Van Arsdol a letter.

Q. What was the tenor of your letter? A. I brought to his notice the fact of my competency and left the matter to him.

Q. You left the question of promoting you to him? A. Yes.

Q. As to Mr. Mann's competency, are you in a position to judge as to whether he was competent, W. E. Mann. A. I think he was for the class of work we were supposed to do here.

Q. Do you know what his instructions were from Mr. Kyle when he was first appointed? A. Yes, I know what they were.

Q. Did he carry them out? A. As near as I can tell.

Q. Do you know why he was discharged by Mr. Van Arsdol? A. I do not know why he was discharged, I did not ask him. He told me he was severing his connection with us.

Q. Do you know Mr. Callaghan? A. Yes, sir.

Q. Do you know whether he is an American citizen or not? A. No, sir, I do not.

Q. He had some difficulty in starting work this winter as regards getting to his work? A. Yes.

Q. The supplies did not reach him? A. Yes, sir.

Q. Do you know how long out he was before he got started? A. I guess he got started right away, he was making ready to start. I do not know when he got started with the survey. He got there in reasonable time. We were ready to start in the same time.

Q. On the ground where he started. A. Yes.

Q. He had to return, had he not? A. Yes.

Q. The consequence of supplies not reaching him? A. The supplies were there all right, but I guess he did not know where to put his hands on them.

Q. How is that? A. Well, they were in the vicinity within three or four miles of where they were supposed to be, the teamsters could not get up the river on account of the river breaking up and were obliged to drop them about three or four miles from where they should be.

Q. Do you know what time he lost in consequence of that? A. I don't know.

Q. Is Mr. C. M. Bassett employed in your party? A. He was.

Q. He is discharged, I understand? A. Yes, sir.

Q. And Mr. Ward, too? A. He resigned.

Q. Do you know whether they were Americans? A. I believe Bassett was, and Ward was an American before, but is a settler in the country here.

Q. Do you know Mr. MacNamara? A. Yes.
Q. Is he still with the party? A. No, sir.
Q. He was also discharged or resigned? A. He resigned.
Q. Was he an American, too? A. Possibly so.
Q. Murray? A. Yes, sir.
Q. Is he with the party still. A. Yes.

Q. Do you know whether he is an American? A. Well, I don't know if you would call him an American. He is only a boy spent part of his life here. He was born on the other side. His parents are Canadians. He calls himself an American, I know he is a Canadian.

Q. He is only a boy? A. Yes.
Q. Never voted yet? A. No, I do not think, I am positive he has not.

By Mr. MOWAT: Q. Mr. Mayer suffered a good deal from cold feet? A. Well he suffered more from the flies when I was out with him. It was in the summer time.

Q. Cold feet anyway? A. He had cold feet.

Q. I see that Mr. Stephens here in a letter to Mr. Kyle on the 3rd of March says, enclosing a letter from Mr. Mayer says he asked to be transferred west on the prairie owing to extremely cold weather? That was not very cold was it? A. I do not think it was so cold in that country.

Q. You never heard of there being extremely cold weather? A. No.

Q. Coming from Oregon he was not capable of battling with our western climate? A. Possibly.

Q. The cold weather had the effect on his temper from time to time. He was hard to get on with? A. He had not an amiable disposition.

By Mr. CROSS: How long have you been working out in this part of the country? A. I think I came out here about the 15th of September or thereabouts.

Q. Came out with the Grand Trunk Pacific? A. Well, I understood that, then on the 16th May I was transferred.

Q. You had been working with the C. P. R.? A. No, I was working in the mountains of British Columbia.

Q. When Mr. Mann left charge of the party, did you know he was going away? A. No, sir, until he came out for his personal belongings.

Q. Do you remember how long it was after that you wrote to Van Arsdol? A. The same time that Mr. Going succeeded him.

Q. Your application was not really an application? A. No.

Q. Just a letter asking ..... A. Yes.

Q. And that was after Mr. Going had taken charge of the party for a considerable time? A. Yes, sir, probably.

Q. Were you surprised when Mr. Mann told you he had resigned? A. Yes, sir, I was.

Q. Did he tell you he had resigned? A. Yes, sir.

Q. He was not a very fast man with his work, was he? A. He did not push things, I think, as he might have, still he was very thorough.

Q. Well, he took too much care with the class of work he did? A. The opinion I always had.

Q. And being too thorough he was in consequence pretty slow? He did not get along very well? A. I think he made very fair progress considering everything, the very bad country which we had to contend with.

Q. But with the class of work, I mean, you are supposed to get through at least he was supposed to get through in a reasonable length of time, was he not? A. Well, I really don't know.

Q. Was he always taking side lines and trial lines. A. We were running a very close preliminary, close to the grade all the time. We never took topography, more than 200 or 300 feet. We had always to grade the limits—

Q. And you think there was a great deal of unnecessary side lines? A. Yes, there was probably a little.

By Mr. Mowat: Q. He made very fair progress, he made as much as three or four miles a day through a difficult country? A. There was no trouble in putting a line that far ahead but the topographer could not keep up, it was a heavy bush country.

Q. The railway does not find fault with the man where fair progress can be made? A. No.

Q. An engineer who is always very fast is not always the best? A. No, I should think not.

Q. It all depends on the nature of the country? A. Yes, that is the way I look at it.

Q. You and Mann had practically a rough country to go through? A. Yes, it was.

By The Commissioner: Do you remember Mr. C. C. Bolcom? A. Yes.

Q. He was with your party? A. Short time.

Q. As a topographer? A. Yes.

Q. Was he an American? A. I believe so.

Q. What became of him? A. He resigned.

Q. Why? A. Because he did not get fair treatment, I believe. Said he could not afford to work for the wages.

Q. When did he resign? A. Some time in February. I do not remember exactly.

Q. Did you remember Mr. Webb, levelman? A. Yes.

Q. Do you know where he came from? A. From Spokane here.

Q. In Washington? A. Yes, sir.

Q. What became of him? A. He disappeared from camp. We never heard of him after.

By Mr. Mowat: Q. Anything else that disappeared at the same time? A. No.

By The Commissioner: Q. Do you remember Mr. Woods? A. Yes, sir.

Q. Where did he come from? A. He came from Montana.

Q. An American? A. I believe so.

Q. What became of him? A. He resigned.

Q. When? A. Some time in March.

Mr. Charles H. Hall, being sworn:

By The Commissioner: Q. What is your name in full? A. Charles Halifax Hall.

Q. You are levelman on the Grand Trunk Pacific with party No. 15? A. Yes, sir.

Q. How long have you been on that party? A. Since January, 1904.

Q. Where were you employed? A. In Calgary.

Q. How long had you been in Calgary before being employed? A. Probably three months.

Q. Did you come from England direct to Calgary? A. No. I have been in Canada 17 years.

Q. You are an Englishman? A. Yes.

Q. What has your experience been in connection with the locating of railways? A. Very little in the location of railways. Construction of railways has been my work.

Q. This is your first experience in locating? A. I have had subordinate positions in Canada before.

Q. On the C. P. R.? A. Yes.

Q. Do you know Mr. Jones? A. No.

Q. Do you know Mr. Callaghan? A. I do not know him.

Q. Know Mr. Hislop? A. No.

Q. You were born in England? A. Yes.

Q. And came from England to Canada about 17 years ago? A. Yes, I served my time in England.

By Mr. Mowat: Q. What was the character of your work as far as responsibility is concerned on the C. P. R. How high did you get on parties? A. I was on construction.

Q. In construction? A. In construction the last work I did for the Crows Nest Pass Railway I had charge of work at Lethbridge.

Q. What was your title? A. Assistant engineer.

Q. For what length of line? A. My first part was 15 miles; my other in the mountain country.

Q. And before the C. P. R., where had you been employed? A. On the Northwestern Railway in England.

Q. On construction work? A. On construction work.

Q. You were quite a young man then? A. Yes, about 23 when I came out.

Q. How long were you employed by the C. P. R., as assistant engineer? A. Probably ten months.

Q. Were you in any other line of occupation before that? A. I was some years out in British Columbia at independent work, at Nelson, built a tramway about three miles long.

Q. Electric? A. Yes.

Q. You took up this present work then as an experiment? A. I took it up with a view to the future.

Q. In line for promotion? A. Exactly.

Mr. McVicar, recalled:

By The Commissioner: Any other of your party, Mr. McVicar, here, where is Mr. Money? A. He has not come.

Q. Do you know what nationality he is? A. A Scotchman, I believe.

Q. You returned him as Irish? A. I am not altogether sure. I expect to see him. He is either Scotch or Irish.

Q. He belongs to the British Isles? A. Yes.

Q. Kenneth Pringle, he is your leveller, do you know where he is from? A. Cape Breton.

Q. That is Canadian? A. Yes.

Q. F. S. Black? A. He is a Canadian.

Q. These three gentlemen are at camp? A. Yes.

The Commissioner to Mr. Van Arsdol: These are parties 15 and 16, what about 14, have you heard from 14 yet? A. I do not think they can get in before this evening's train.

The Commissioner: We will adjourn until ten o'clock to-morrow morning so that we can take them up. There are no other witnesses to-day? A. No.

Edmonton, 15th June, 1904.
10 a. m. at Town Hall.

The Commission resumes.
Present: His Honour Judge Winchester, Commissioner,
" H. M. Mowat, Esq., K. C., representing Government.
" O. M. Biggar, Esq., representing Grand Trunk Pacific.

Mr. Going, recalled:

By The Commissioner: Q. You are still under oath. Are you under the jurisdiction of Mr. Jones as district engineer? A. At present I believe I am.

Q. How long have you known him? A. About nine weeks.

Q. Only nine weeks? A. That is all.

Q. Do you know where he was born? A. I was told by himself he was born in the State of Iowa.

Q. Was he educated in the United States? A. I think so.

Q. Is that where he gained his experience as civil engineer? A. There and in Canada also. He has worked here.

Q. How many years in the United States? A. I don't know.

Q. How many in Canada? A. I should judge from three, four or possibly five years.

Q. And prior to that he worked in the United States? A. Yes, sir.

Q. About how old is he? A. I think 38 or 40 years.

Q. Did he tell you whether he was an American citizen or not? A. No, sir.

Q. Did you talk to him about this question of alien? A. No, sir. time we were on the Columbia.

Q. Has he since talked to you? A. No, because he has been in town and I have been out west.

Q. Had you a meeting together you, Mr. Van Arsdol and Mr. Jones? A. No, because I have been away and I only met Mr. Jones on the 24th.

Q. Had no conversation with him? A. Not at all.

Q. Then from what he told you he has been in the United States up to within the past four or five years? A. I would not like to say that. He secured a position on the C. P. R. Like myself I have been transferred three or four times between Canada and the United States.

Q. Has he told you so? A. No, he has worked on the C. P. R. within the last five years.

Q. He has worked on the Great Northern? A. Yes.

Q. No conversation at all about the agitation? A. No, sir, at that

Q. How long? A. He may have been there five or six years.

Q. Did he tell you how long he had been in Canada? A. No, he told me he was born in Iowa and was educated there.

Q. And became a civil engineer there? A. He did not tell me where he became a civil engineer. He merely said he was born in Iowa.

Q. Do you know anything about Mr. Callaghan? A. No, sir.

Q. In connection with party No. 17? A. I have known Mr. Callaghan as engineer personally for about two years.

Q. Where? A. I knew him down in Vancouver. We were associated in Vancouver and I knew he was an engineer on the Columbia and Western in British Columbia.

Q. Do you know whether he is an American or not? A. No, sir.

Q. Do you know anything of his party? A. No, sir. I do not know any of them at all.

Q. I will mention them and possibly you may recollect them, Mr. Hare? A. I never met Mr. Hare.

Q. Mr. R. H. Nichoson, draughtsman? A. I met him in the office here, I do not know him.

Q. Don't you know whether he is an American citizen? A. I do not.

Q. George Wase? A. No, sir.

Q. Mr. Sellick, topographer? A. No, sir.

Q. You did not know either of these? A. No.

Q. The only one is Mr. Nichoson you met at Edmonton? A. Yes, sir.

Q. Do you know Mr. Sprague? A. No, sir.

Q. Mr. Kyle, his transitman? A. No, sir.

Q. Mr. Robinson, a draughtsman? A. No, sir.

Mr. James Hislop, being sworn.

By The Commissioner: Q. What is your name in full? A. James Hislop.

Q. You have charge of party No. 14 on the Grand Trunk Pacific? A. Yes, sir.

Q. How long have you been civil engineer? A. Since 1886.

Q. What work were you first on? A. The first year I was engaged on, after college, was with the Chicago, Santa Fe California Railway, Kansas Missouri, part of Santa Fe system.

Q. What year was that? A. 1886, latter part of the year.

Q. What college had you left? A. Cornell College in New York, previous to that a year at McGill.

Q. Where were you born? A. In Waterloo County, Ontario.

Q. Did you take out papers as an American citizen? A. I did not.

Q. Taken out any since? A. I have not at any time.

Q. And still are a good Canadian and British subject? A. Yes, I am a Canadian subject. I have lived in the United States for several years and never voted. I received part of my education as civil engineer there.

Q. How long at McGill? A. One year.

Q. And Cornell? A. One year. I matriculated in the second year on applied science at McGill and took two years in civil engineering in Cornell and undergraduate of Cornell University, third year.

Q. Where were you next employed after leaving the Santat Fee? A. It was with Brown, Howard & Co., contractors on the new Croten aqueduct which supplies New York with water.

Q. How long were you there? A. One year.

Q. And then where did you go? A. I drifted westward and my next employment was in an architect's office for a few weeks, and my next employment as civil engineer was on the Spokane Falls and Northern Railway.

Q. When was that? A. In the fall of 1889.

Q. How long did you remain with the Spokane Falls Company? A. Well, I think about two years and a half at different times and on different roads of the system.

Q. That would be in 1892? A. My last employment with that company was in 1893. I was with the Spokane Falls Company proper in the fall of 1889 until the spring of 1890. In August was transferred to the Great Northern, spent about a year and a half with the Great Northern, under three different engineers. I was about six weeks with Mr. Luxfer and for a while in the office at Spokane as draughtsman till about a year after.

Q. Then where did you drift? A. I went out from Spokane into the employ of the roads between Nelson and Fort Shepherd.

Q. That is where? A. From Fort Shepherd to Nelson, British Columbia.

Q. All in British Columbia? A. From the boundary line to Nelson.

Q. With what railway where you working there? A. The Nelson and Fort Shepherd Railway Company, a subsidiary company of the Spokane Falls and Northern Railway.

Q. It was in the construction of that line you were working? A. Yes, with Mr. Luxfer, the chief engineer.

Q. How long did you remain with him? A. We went out in July and stayed until we were snowed-in.

Q. When? A. About the middle of November. During the winter I was employed on construction just south of the boundary line on the Spokane Falls and Northern. Altogether I continued in their employ until I fell sick in June, 1893, when I left their service.

Q. And then where did you go? A. I did no engineering work at all.

Q. Until when? A. Until about January, 1894.

Q. For a year? A. Not quite a year from June to January.

Q. Then what did you do? A. I went out to California and was employed there for about six weeks.

Q. And then? A. Came back to Canada.

Q. To Montreal? A. No to Waterloo. In the fall of the same year I returned to British Columbia and was employed on the survey of a line at Nelson and Fort Shepherd, under by old chief of the Spokane Falls and Northern. I worked on the line from Rossland to Northport under two different companies, the Red Mountain and the Columbia, which were at one time in the Corbin system now part of the Great Northern.

Q. What State was it running through? A. Washington State and British Columbia.

Q. That would bring you to about January, 1894? A. That would bring to January 1895. In the spring of 1895 I went out on a survey under the same chief engineer, E. J. Roberts, and was out three different times that summer. Altogether I was employed about three months.

Q. That would bring you to? A. Take me up to December, 1895.

Q. After that where? A. In the spring of 1896 near the end of March beginning of April went out again on the same route with Mr. Roberts as chief engineer, and do not recollect just when I left the service of the company.

Q. About what time? A. About the end of June.

Q. Of what year? A. That would be 1896.

Q. Then where did you go? A. I did not do any more engineering work, engaged in land surveying until the end of the year.

Q. Until when? A. About December 1896.

Q. What then? A. Went south and spent the winter.

Q. Where did you start again in civil engineering? A. Did not do any more work in civil engineering until about the month of September.

Q. What year? A. 1897.

Q. How long did you continue? A. Nearly three months.

Q. Where? A. With the Columbia and Western Railway Company.

Q. Under Mr. Roberts? A. No.

Q. Another man? A. My immediate superior was John G. Sullivan, which was under the old Columbia and Western.

Q. Where was the head office? A. At Trail, in British Columbia.

Q. You remained only three months there? To the Spring of 1898? A. To December, 1897.

Q. Where did you go then? A. Heinze sold out his interest in the Columbia and Western to the C. P. R. and the parties were sent out in 1898. I went from the Columbia Western to the C. P. R. in 1898 and remained in the service to June, 1899.

Q. Then where? A. Then I went to British Columbia and opened up an office as provincial lands surveyor at Everton.

Q. That would be in? A. In 1899, and remained there until I entered the employ of the Grand Trunk Pacific in 1903.

Q. In 1903? A. September, 1903.

Q. That was your experience? A. Yes.

Q. Until the present time? A. Yes.

Q. You formed your party in 1903? A. Yes. My original party was composed of myself, Frank Haughton, transitman; J. C. Edwards, draughtsman; W. J. Kennaugh, rodman; M. Rumsford, cook; J. A. Gowan and others, axemen.

Q. Who was your leveller? A. Did not have one that time.

Q. Nor a topographer? A. Nor a topographer.

Q. Then you employed Mr. Haughton as transitman and Mr. Edwards as draughtsman? A. If you put it that way.

Q. Who employed Mr. Haughton? A. I expect Mr. Kyle did.

Q. He belonged to Calgary? A. Yes, I believe that is the place he calls home.

Q. When did he leave? A. Last Dec.

Q. Under what circumstances? Did he not ask for a leave of absence of a week? A. Sometime previous he asked for leave of absence for he wanted to go to Calgary, had business to attend to which had to be attended to. He would have liked to have come back but later on he changed his mind and did not wish to come back.

Q. Are you sure of that? A. He told me so.

Q. Did he not ask you to let him return when he left, did he not? A. No.

Q. Did he not ask and was refused? A. Not that I am aware of.

Q. Who was appointed in his place? A. Mr. R. A. Honderson.

Q. Where from? A. He reported as coming from Edmonton.

Q. Appointed by whom? A. Sent out by Mr. McNeill.

Q. When was that? A. Last Dec.

Q. Dec. 1903? A. Yes, sir.

Q. Do you know where he originally came from? A. He told me he came originally from Chilliwack, B. C.

Q. Do you know whether he is an American citizen or not? A. I cannot answer, but he is in the room.

Q. Did you ask him? A. He mentioned the question of citizenship in conversation.

Q. What was it? A. He said he was born in Kansas and brought up in British Columbia, in doubt about citizenship.

Q. Did you get a statement from all your men as to their nationality? A. They gave me a statement, I left it in camp.

Q. Where is that? A. I remember mailing it.

Q. When were you asked to make a return? A. In the last mail that was sent out to me.

Q. How long ago? A. About three weeks ago.

Q. Were you not asked to send it earlier than Friday morning? A. No I did not get any letter.

Q. Have you got that return? A. Not here.

Q. Where is it? A. I expect it is in the Company's office.

THE COMMISSIONER to Mr. VANARSDOL: Have you that return Mr. VanArsdol? A. Possibly Mr. Mellen has it in the office. He has not got it here.

THE COMMISSIONER to Mr. HISLOP: Can you recollect from that return what nationality you gave to the different men? A. I had each man of my staff give me himself a statement of his nationality and experience.

Q. The return forms a statement by the parties themselves? A. Yes personally.

Q. And you paid no attention to it? A. I did not pay much attention to it, I sent it out.

Q. Who others formed your party besides Mr. Henderson at the present time? A. There is Mr. Silcox, levelman.

Q. When was Mr. Silcox appointed? A. He reported to me last December coming from Winnipeg.

Q. Do you know who appointed him? A. I believe G. A. Kyle did.

Q. Have you Mr. Edwards with you still? A. I have not.

Q. He has been relieved? A. Yes, sir.

Q. You also have Mr. Legge? A. No sir.

Q. He has been discharged too? A. Yes, for cause.

Q. Do you know what nationality they were? A. Mr. Legge told he was born and brought up near Newmarket, Ontario.

Q. Why was he discharged? A. For disobedience of orders.

Q. What were they? A. It is always necessary that parties in the field there should be ready to work at all times and he refused to work at night.

Q. What time of night was that? A. That would be about a quarter after five.

Q. And you discharged him for that? A. I did.

Q. Mr. Edwards what was his trouble? A. He was careless in his work.

Q. Incompetency? A. Yes.

Q. Now you employed Mr. Glanville in his place? A. I asked Mr. McNeill to send out a man and he sent out Mr. Glanville.

Q. When was that, do you recollect? A. That was about the first of April of this year.

Q. Mr. Mathews is your topographer now? A. Yes.

Q. When was he appointed? A. Came out the same time as Mr. Glanville did.

Q. Who appointed him? A. Mr. McNeill. He sent him out to me to give him work in some capacity.

Q. Can you tell me when Mr. Legge was discharged? A. He received time until the 7th of April but did not work after the end of March.

Q. Did you receive an application from R. B. Wilkes from Brantford, Ont., as leveller? A. I remember receiving a letter from some person in Brantford, but do not distinctly remember the name. It may be Mr. R. B. Wilkes.

Q. You did not appoint any part of your staff personally? A. No, not of the present staff.

Q. You left that to Mr. McNeill? A. Yes.

Q. Then you would hand Mr. Wilkes' letter over to Mr. McNeill? A Yes. I had no position open. I did not receive that letter until long after that.

Q. You received it about the month of March, 1904? A. I do not recollect when I received it. I received it by last mail and also a letter written last January.

Q. This is dated Dec. 23rd. Would you not receive this before the April letter? A. I think I sent this to Mr. McNeill by the mail that went in in March, so that I may have received it early in March.

Q. It is addressed to you as locating engineer and reads:

"Brantford, Canada, Dec. 23rd, 1903.

"Mr. Hyslop,

"Locating Engineer, G. T. P.,

"Battleford.

"Dear Sir,—Beg to offer my services to you as leveller, for $90 per month and expenses you supplying rod and level.

"Can go at once. Will give you good, hard, conscientious and efficient work.

"Communicate with me, care Waterous Engine Works Co.
Winnipeg, Man.

"Yours truly,

R. B. WILKES.

A. I sent the letter to Mr. McNeill, I had no position at that time.

Q. You sent him the letter, that was in March? A. I think so to the best of my recollection.

Q. Was not an appointment made immediately after that at the end of March? A. There was an appointment made.

Q. That would be early in March when you received that letter? A. When I sent that letter in, at the end of March there was a vacancy.

Q. When you discharged Mr. Legge you had a vacancy? Did you not think of this application then? A. No, even if I did think about it I had a man acting as topographer.

Q. Who was he? A. Mr. Silcox, a competent man whom I appointed as my leveller.

Q. Then you promoted him and appointed Mr. Mathews as topographer? A. I suppose I am responsible for his appointment, it came about this way. He came out with Mr. McNeill—

Q. Then Mr. McNeill did not appoint Mr. Silcox as you stated a few minutes ago? A. I did not mean that he personally appointed him.

Q. Mr. Silcox was sent out by Mr. Kyle as a topographer? A. As topographer, I appointed him leveller.

Q. Now as to Mr. St. Phalle? A. I referred Mr. St. Phalle to Mr. Sullivan. I do not know whether Mr. St. Phalle wrote Mr. Sullivan or if he did what was his reply.

Q. In a letter from Mr. Kyle to Mr. St. Phalle he states that he saw Mr. Sullivan in reference to him and Mr. Sullivan informs him that Mr. St. Phalle stated that he could not get along with you? A. I do not consider that I ever had any trouble getting on with very good men in my party.

Q. Did you get along pretty well with Mr. Haughton? A. Well, I never had any trouble with him.

Q. Did you not at one time request him to work on Sunday? A. Under special circumstances I once asked him if he would not go with me for an hour or two.

Q. And he refused? A. He did not absolutely refuse.

Q. He did not go? A. He did not go, he objected. He thought it was not right and that being the case he did not go.

Q. And did you think that Mr. Haughton was that class of man that would go if you did give him orders to go? A. As to that I do not know. My acquaintance was not extensive with him.

Q. Is that one of the reasons why you did not take him back? A. I never refused to take him back.

Q. So that if he was refused? A. He left of his own accord.

Q. For a specified time? A. No not for a specified time as far as I am aware.

Q. You are not aware of that? A No.

Mr. Richard A. Henderson, being sworn:

By The Commissioner: What is your name in full? A. Richard Arthur Henderson.

Q. You are connected with party No. 14 of the Grand Trunk Pacific? A. Yes, sir.

Q. As transitman? A. Yes.

Q. When were you employed to that position? A. Dec. 15th, 1903.

Q. Where were you at the time of employment? A. Well, I was up near Edmonton and saw Mr. McNeill.

Q. What brought you to Edmonton? A. I came up here to work for Mr. Driscoll.

Q. Mr. Driscoll is an engineer at Edmonton? A. Yes.

Q. Did Mr. Driscoll recommend you for employment on the Grand Trunk Pacific? A. I don't know.

Q. Did you refer to him in your application to Mr. McNeill? A. I do not know.

Q. Did you ask for Mr. Driscoll at the time? A. Yes.

Q. I suppose it is correct as stated by Mr. Hislop that you are an American? A. Yes, born at Baldwin, State of Kansas.

Q. Was that where you received your education? A. My parents removed from there to Chilliwack, British Columbia.

Q. And you remained there ever since? A. Yes.

Q. Your parents are British subjects I presume? A. Yes, sir.

Mr. Leonard E. Silcox, being sworn:

By The Commissioner: What is your name in full? A. Leonard Ernest Silcox.

Q. How old are you? A. 22.

Q. When were you appointed to party No. 14? A. Nov. 26th, 1903

Q. As what? A. As topographer.

Q. By whom? A. Mr. G. A. Kyle.

Q. Where? A. In Winnipeg.

Q. Were you in Winnipeg at the time? A. I just came to Winnipeg.

Q. Where from? A. From the Government drainage works in Manitoba.

Q. How long were you working there? A. From June to Nov. 22nd.

Q. Where did you come from to Manitoba? A. From London, England.

Q. Were you born there? A. No, born in Wales.

Q. What experience have you had as topographer and leveller? A. Well I had served my articles in London for an engineer for three years, left there in June on other jobs on drainage and gas works until May. I sailed from England in May and applied to the government on June 1st.

Q. That is the only experience you have had? A. Yes.

Q. You were never on locating work before? A. No.

Q. And you were topographer for how long? A. From Nov. 26th to March 31st.

Q. Then you were employed as leveller? A. Yes.

Q. And now act as such? A. Yes.

Mr. William J. Glanville, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. William James Glanville.

Q. You are acting as draughtsman on party No. 14 on the Grand Trunk Pacific? A. Yes, sir.

Q. When were you employed as such? A. 30th of March, 1904.

Q. By whom? A. By Mr. McNeill.

Q. Where? A. At Edmonton.

Q. How long had you been at Edmonton before you were employed? A. I wired to Van Arsdel and came up here.

Q. You wired from where? A. From Cherelah, Washington, north of Spokane.

Q. That is in the United States? A. Yes.

Q. How did you come to wire to Van Arsdol? A. I was going to Victoria. I had written Van Arsdol previously and thought he was in Victoria, and intended to go to Victoria to see him personally but some engineer that I met in Spokane told me that he had gone to Edmonton and I wired him to make sure of seeing him here.

Q. What position did you apply for? A. Draughtsman.

Q. Do you remember when that was? A. I applied in the first place I think in Dec. 1903 from San Francisco.

Q. From the Winchester Hotel? A. Yes, sir.

Q. How long had you been there? A. I had just returned with a party surveying on the Western Pacific from Salt Lake City to San Francisco.

Q. You wrote on Jan. 6, 1904. This is your application is it Mr. Glanville?

"Winchester Hotel,"
"San Francisco, Jan. 6th, 1904.

"Mr. Van Arsdol,
"Division engr. Grand Trunk Pacific R. R.,
"Victoria, B. C.

"Dear Sir,—Should esteem the favor highly if you would kindly let me know what the prospects are for a position on the surveys of the Grand Trunk just now. Have just got through with the preliminary surveys of the Western Pacific here. For six months I have been in the field as draftsman, prior to that I have been with the Great Northern since the winter of 1897. Was draughting on the V. V. and E. Could run level on location or transit on construction. If there should be a vacancy now or in the near future would appreciate a telegram at my expense, if necessary.

"Respectfully yours,
W. J. GLANVILLE."

Q. Then you received an answer from Van Arsdol dated Jan. 11th, is that a copy of the letter sent to you? A. Yes, sir.

"Victoria, Jan. 11, 1904.

"W. J. Glanville, Esq.,
"Winchester Hotel,
"San Francisco, Cal.

"Dear Sir,—I have yours of the 6th in which you make application for a position on the Grand Trunk Pacific surveys. At the present we are not engaged in actual location work on this line and I cannot therefore offer you anything in the way of employment at the present time.

I shall, however, retain your application on file and should an opportunity offer, shall communicate with you later on. It will probably be sometime during the spring before I can offer you anything.

"Yours truly,
C. C. VAN ARSDOL,
"Division Engineer."

Q. When did you hear from Van Arsdol? A. Did not hear from him at all.

Q. What did you do? A. I thought I would take my chances and apply personally.

Q. And you came to Edmonton? A. To Edmonton.

Q. On that chance? A. Yes.

Q. And did you see Mr. Van Arsdol? A. No, sir. I saw Mr. McNeill.

Q. Was Mr. McNeill in charge here at the time? A. Yes, sir.

Q. What did you apply for to Mr. McNeill? A. Draughtsman.

Q. You informed him of the letter you received from Van Arsdol? A. I am not sure of them.

Q. Where did you wire from? A. From Washington.

Q. Asking for employment? A. To that effect.

Q. Have you got that wire now, Mr. McNeill? (McNeill) I haven't

Q. Have you, Mr. Van Arsdol? (Van Arsdol) I do not remember.

To Mr. Glanville: Q. And you followed that wire by coming up yourself? A. Yes, sir.

Q. Did you get an answer to that wire? A. Certainly.

Q. Where were you before, Mr. Glanville. A. In Summerset, England.

Q. When did you come to the United States? A. I came to Canada in 1891. tldAm

Q. How long did you remain in Canada? A. Until Dec. 1893.

Q. What were you doing in Canada during the three years? A. I was in business for myself.

Q. As what? A. As ———.

Q. Nothing to do at civil engineering? A. No, sir.

Q. And in 1893 where did you go? A. To North Dakota.

Q. What were you doing there? A. It was not civil engineering, in private business for myself.

Q. Not connected with civil engineering? A. No, sir.

Q. How long did you remain in North Dakota? A. I think two years. Then I went to Minnesota, then to Minot and worked for Luxfer.

Q. What is the name of that firm? A. The Great Northern.

Q. Was he not an member of the firm, Mr. Luxfer? A. No, he was leading engineer for a railway.

Q. Did you at any time or previously take out papers as an American citizen? A. No, sir.

Q. Then you came to Chilliwack? A. Not to Chilliwack, I worked for the Great Northern.

Q. For how long? A. Almost entirely from that time until I began working for the Western Pacific in California.

Q. For how long did you work for the Great Northern? A. From 1897 to Oct. 1902.

Q. And then? A. Then I was assistant manager in a concern near Spokane, Washington. That closed up for lack of capital and then I went to the Western Pacific as draughtsman and then came here.

Mr. CLAUD E. MATHEWS, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. Claud Evelyn Mathews.

Q. You are a topographer in connection with party No. 14? A. Yes, sir.

Q. When were you employed? A. About March 31st I came up from Montreal here.

Q. When did you reach Montreal? A. I sailed from England on Feb. 11th, and reached Montreal on the 23rd or 24th.

Q. To whom did you apply for employment? A. I had a letter of introduction to Mr. Wainwright, chief controller of the Grand Trunk Ry. and he saw Mr. Stephens. I was employed in the office in Montreal while they looked for a vacancy.

Q. What was your experience as topographer before that? A. None before that. I had done some levelling but no topographing.

Q. Did you graduate from any school there? A. No, sir. My experience was on the Great Western. I served my apprenticeship there.

Q. How many years? A. Five years.

Q. As leveller? A. As mechanical engineer. I went through all the shops and offices.

Q. Then do you understand anything about topography at all? A. I had read an engineering book but had not had any practice, merely theoretical knowledge.

Q. And this was the first experience you had? A. Yes, sir.

Q. You gave satisfaction to Mr. Hislop? A. I hope so.

Mr. HISLOP re-called:

By THE COMMISSIONER: Q. Did you know Mr. Callaghan of party No. 17? A. Yes.

Q. Where did you become acquainted with him? A. He was employed on the Red Mountain Ry. under E. G. Roberts.

Q. As what? A. I do not know in what capacity he was working there. I was not intimate with him. When I went out in this survey on the Columbia under J. G. Sullivan, chief of party, he was the head chainman there.

Q. How long ago? A. In 1897 I think he was a member of some party that was sent out on the Columbia and Western which afterwards became part of the C. P. R. He acted as draughtsman that time. When the services were finished he received an assistancy the same time as I did.

Q. He was appointed assistant engineer? A. Yes.

Q. Do you know if he is an American citizen? A. I do not know but I think he is.

Q. That is your belief? A. Yes, sir.

Q. Do you know Mr. Hare his transitman? A. Yes. I knew Mr. Hare. He was on the Columbia Ry. with Mr. Callaghan, under Mr. Callaghan and served under Mr. Young on construction.

Q. The same Mr. Young you have mentioned? A. Yes.

Q. What was he doing at that time? A. He was on a survey. He was acting as draughtsmans on construction. I do not know what his position was, I think he was a leveller.

Q. Do you know whether he is an American citizen? A. I cannot say.

Q. What is your belief? A. I have no belief.

Q. Do you know anything about Mr. Nichoson? A. Totally unacquainted with him.

Q. Mr. Wase? A. Don't know about him.

Q. Nor Mr. Sillick? A. Never heard of him.

Q. Do you know Mr. Sprague? A. No, sir.

Q. Mr. E. W. Robinson? A. No.

Q. That is all you can say about these western men? A. Yes. I may say that I was totally unacquainted with any one in the Grand Trunk Pacific when I entered the service.

Mr. E. R. McNeill examined:—We will take you up where we left off. Have you charge of parties Nos. 17 and 18? A. No, sir, Mr. Jones has.

Q. Do you know the staffs of these parties, there is Mr. Callaghan? A. I have known Mr. Callaghan for several years.

Q. Mr. Hare? A. Never met him.

Q. Do you know Mr. Sellick? A. I do not remember him.

Q. Do you know Mr. Wase? A. No.

Q. Do you know Mr. Nichoson? A. Yes, sir.

Q. Then of that party all you remember would be Mr. Callaghan and Mr. Nichoson? A. Yes, the party was organized during my absence.

Q. Is Mr. Callaghan an American citizen? A. I don't know. I think he was born an American but he may have become a Canadian.

Q. When was he in Canada? A. He has worked in Canada several years of his life.

Q. Where? A. I have heard him speak of being on the C. P. R., Columbia Western.

Q. The Columbia Western is an American road? A. It belongs to the C. P. R. now.

Q. Since the C. P. R. took charge of a part of it? A. Yes.

Q. That part running from the Columbia River westward? A. Yes.

Q. Then Mr. Nichoson, you told me about him the other day? A. Well all I know of him.

Q. Do you know whether he was an American citizen? A. No, sir.

Q. Can you give me the names of Mr. Sprague's party, No. 18; who form that party? A. Mr. Sprague formed his own party, picked up men here.

Q. Had you anything to do with them? A. No, I told him to pick up his own men.

Q. Do you know Mr. Kyle? A. I have met him when he came.

Q. Mr. E. W. Robinson? A. I met him in camp when Mr. Sprague was working for me, the first time I ever met him.

Q. Do you know where he originally came from? A. I know nothing about him.

Q. Now who is his leveller? A. I do not know. In fact I guess he has none, it is an exploring party and has no leveller.

Q. Would he have a topographer? A. No, sir, I think he has no topographer.

Q. Just merely a transitman and a draughtsman? A. That is how exploration parties are organized.

Q. Exploration not locating? A. Yes, sir.

Q. Is there any other party being formed? A. Not that I know of.

Q. Was there nothing about 19 discussed? A. Yes, sir, discussed but Mr. Van Arsdol believed it possible to accomplish the work with 17 and 18 on account of the difficulty of transporting men and supplies.

Q. Was that his final decision? A. Yes.

Q. This is an application from Mr. H. C. Brice, Mr. McNeill? A. Yes, sir.

This letter reads:—

"Alberta Railway and Coal Company,
"Cardston, Alberta, Jan. 24th, 1904.

"Mr. E. R. McNeill,
"Edmonton, Alberta,

"Dear Sir,—I have been thinking of writing you for some time in re the prospects of the coming year on the G. T. P., I am still with the A. R. & C. Co., with prospects of completing the work now in hand some time in June and the prospects of anything further here is problematical. Any information that you can give me will be gratefully received.

"Hoping this will find you prospering,
"Yours truly,
"H. C. BRICE."

Q. And this was your answer to it? A. Yes, that is in my handwriting.

"Edmonton, February 8th, 1904.

"Mr. H. E. Brice,
"Cardston, Alberta,

"Dear Sir,—Yours of January 24th duly received but I was away on line and only recently returned. As to the outlook for June when you expect to be available I am unable to say with any degree of accuracy. At the present time the territory from Winnipeg to this point is covered with preliminary parties and also from this point west for a distance of 450 miles. It is not the intention to open up any new territory at the present time. Mr. C. C. Van Arsdol at this point is District Engineer of the western division and I would advise you to take up the question with him.

"I am enjoying good health and expect to survive the winter. We have had a fair portion of it here.

"Yours truly,
"E. R. McNEILL, District Engineer.

Q. And you have recommended him for a position? A. I have.

Q. That position has not been filled yet. A. I recommended him for any position that might come up. There was no vacancy I guess to offer.

Q. To whom did you recommend him? A. To Mr. Van Arsdol personally, I spoke to him about it.

Q. Where does Mr. Brice come from? A. I don't know. When I knew him first he was located at West Superior, Wis., as resident engineer in the Eastern Division Railway, he afterwards came to Montana, on the Northern Pacific.

Q. Was that on the same line? A. On the same road.

Q. Is he an American citizen? A. I cannot say, I imagine he is, I am not positive.

Q. Where was he born? A. I know nothing about his birthplace.

Q. But you imagine that he is an American citizen? A. Yes I may be mistaken, however.

Q. There was difficulty about the transportation of supplies to Mr. Callaghan? A. I don't know, I had nothing to do with that.

Q. You had not? A. No, sir.

Q. I notice in your letter that you recommended the transportation before the winter came on? A. Yes, sir. That was during the time I had control here over party No. 16 under Mann, and if that had been carried out there would have been no difficulty. That was my recommendation as it seemed to me it was the best plan.

Q. Do you know whether that was carried out? A. I think it was largely so.

Q. With reference to Mr. Callaghan? A. Not as to Mr. Callaghan, I don't know but what it was.

Q. Somebody stated that he could not get supplies? A. I did not know anything about particulars of him, I was busy with my own party.

Q. Would you turn to your letter book page 111, Mr. McNeill? A. Yes, sir, page 111.

"Edmonton, Dec. 11th, 1903.

"Mr. James Hislop,

"Assistant Engineer, Camp,

"Dear Sir,—This will introduce to you Mr. R. A. Henderson, who comes to you as transitman. He is to defray his own expenses from Edmonton to Henley, his time and expenses to begin on his arrival to Henley.

"Yours truly,

"E. R. McNEILL, District Engineer."

Q. That is a recommendation, is it? A. That is a letter of introduction, presenting Mr. Henderson to Mr. Hislop.

Q. With reference to Mr. Houghton, page 112, there was difficulty there? A. I do not see that there was anything in Mr. Houghton's letter to indicate there was any difficulty. Mr. Houghton asked me to keep his place open and I replied to him.

Q. This is the letter Mr. Houghton wrote to you? A. Yes, that is the letter referred to, the only one I received from Mr. Houghton.

Q. This was the letter he wrote, it reads:—

"... ..... Station, 20th November, 1903.

"Dear Mr. McNeill,—I am sorry to have to inform you that at the end of this Stadia Survey I will have to go to Calgary on some business that may retain me there for a week or ten days. When I accepted my present position from the company I had no idea of anything interfering with it and am very sorry indeed about it. Would it be possible for you to keep the work open for me? I would be very much obliged indeed if you would.

"I would ride straight through from Calgary back again and allow the survey free use of my horse, till the work is finished. Of course, I will not be in the least surprised if you cannot keep my work open for me. I will write or wire you again from Calgary.

"Yours very truly,

"F. HOUGHTON."

Then you wrote him a letter, a copy of which you attach to that, in which you stated that it was impossible to keep his place open? A. It simply meant to tie up the party for two weeks, which was a rather expensive proposition.

Q. As transitman he had to be there all the time? A. He was the most important man in the party. ....

Q. Would it make any difference if he was away? A. It would tie up the party unless the engineer ran the transit himself.

Q. Could he do it? A. He could do it, but he generally has more important work to attend to, such as the work of exploration.

Q. I have noticed that Mr. Douglas Kyle was away for a while and afterwards returned to work? A. I do not know anything about that.

Q. That is within your jurisdiction? A. No. Of course when a man is sick we always do the best we can. It is quite natural to make allowance for a man's sickness.

Q. I have a list of applications which you kindly let me have, Mr. McNeill. I have gone over this list and find there are 46 for last year, 32 Americans and 14 Canadians? A. That would be about the proportion.

Q. Do you remember receiving an application from Mr. Howell Bigger, of Banff? A. Yes, sir.

Q. Did you appoint him to a place? A. No, sir, I learnt about Mr. Bigger when I was out on the line in Mr. Hislop's camp. He had met him. Bigger was connected with a land survey in the same vicinity. He spoke to Mr. Hislop about a position and his education; he was a graduate of McGill University with Mr. Hislop. I thought he would make a very good man. At that time we had an exploration party and required a leveller or a topographer. I suggested that he offer Mr. Bigger a position as axeman and leveller. It seems that Mr. Hislop did not get same until his party was disbanded, which accounts for the correspondence. Mr. Bigger got in and learned that Mr. Hislop was looking for him and was very sorry he did not see him.

Q. There has been no vacancy since to which you could have appointed Mr. Bigger? A. There have been two vacancies, one filled by Mr. Hislop by promoting his topographer, the other filled by Mr. Van Arsdol in Mr. Stuart's party.

Q. By appointing whom? A. Mr. Talbot, and I think Mr. Armstrong has also had a leveller, for this Mr. Hall has been selected.

Q. From what you learned of Mr. Biggar he is a capable man? A. I think he would probably be a good leveller. I have some doubts about his experience in that work.

Q. There was no reason for not appointing him. This is no reason. A. He seemed to be willing to do anything. I do not know whether Mr. Hislop conveyed my proposition to him, but I suggested that as a means of having him when he wanted him.

Q. His letter would indicate he was willing to fill any position? A. Yes.

Q. His letter to you is dated December 7, 1903, that was in answer to yours of November 28th? A. Yes.

Q. Who is Mr. Luxfer? A. Engineer in charge of construction on Great Northern Railway.

Q. That is the gentleman you were with? A. Yes, sir.

Q. Did you ask Mr. Luxfer to look out for a man for you? A. I had no communications with him.

Q. I find a letter from a Mr. Floyd W. Foster, of Lichfield, Minnesota— A. He worked for me several years ago.

Q. He began:—"Through Mr. Luxfer, I heard you were in need of men on your work"? A. I never intimated to any one that I needed any person, I think Mr. Foster must have manufactured such a statement.

Q. Has Mr. Luxfer anything to do with Mr. Brice, there is a firm of Brice and Luxfer? A. I know nothing about them, both Luxfer and Brice are railway engineers and have been ever since I knew them.

Q. Do you know Wm. L. Hyndman, of Great Falls, Montana? A. Yes, he is a boy that worked for me about four years.

Q. He applied for a position in March last? A. Yes, sir.

Q. Also in February? A. I don't know that I received more than one letter from him.

Q. You are quite right, he had only written you on the 21st March. What is this, I cannot read your writing? A. I cannot myself do that sometimes when it gets cold:—

"Replying to your application of the 21st inst. will say that I can give you no positive assurance of work, but if you are inclined to come up here at your own expenses and take your chances it is quite likely that you could secure a position as axeman or chainman without any great delay.

"Yours truly."

I might say in explanation to that there are often vacancies for axemen or chainmen in these parties. A great many parties that are sent out are not complete and it is necessary to pick up a great many of that class of men. Knowing this man as I did I thought if he came up here he would not have to wait long before getting work.

Q. I came across correspondence between yourself and Mr. Halifax Hall. He appears to be anxious to get employment? A. Yes, sir. Mr. Hall considers himself a competent construction man and would like to be in line for such work when it comes. That is the way he expresses himself.

Q. Is he a capable man? A. I know nothing about Mr. Hall except Mr. Armstrong's report that he is a very good leveller. He was recommended to me by Mr. Houghton, Hislop's transitman.

Q. I see a letter from E. D. Kelly in November, 1903. He is connected with the C. N. R.? A. Yes.

Q. Now, there is Mr. Frank Lamphere? A. Yes, that is a boy that worked for me some three or four years on the Great Northern Railway.

Q. On the 30th March, he writes to you as follows:—

"Dear Sir,—Through Great Northern people I learn that you are to have charge of location on the Grand Trunk line. Should you be in need of a transitman I will be pleased to hear from you.

"You may perhaps remember me as being with Mr. Henry on the Verona and Boulder work in Montana. I have been instrument man on construction work in Iowa for about two years. The greater part of the time under Mr. Henry and can refer you to him to Lohrville, Iowa.

"Yours very truly,

"FRANK E. LAMPHERE."

568 Wabasa St., St. Paul, Minn.

You were not able to give him a position then? A. No, sir. It was natural that he should learn from the Great Northern people as I have a number of acquaintances on that line, and you will notice that I have a great many applications from Great Northern men.

Q. The majority from Montana? A. Yes, from men I have known personally.

Q. I think I noticed about seven letters from Montana out of 32? A. Yes, and some of those from Alabama and Arkansas are from men who have worked for me.

Q. Now there is a man named E. L. Morris, he is also from Havre? A. He was a clerk in my Havre office. He is now in the superintendent's office.

Q. He wrote you on the 8th January this year:—

"Dear Sir,—I am informed by Mr. Stewart that you are located at Edmonton, I herewith take the liberty of writing you in inquiry of a position as clerk. I am in Mr. O'Neill's office yet, but am anxious to start with the new railroad up there, consequently any favors shown will be appreciated.

"Yours truly,

"E. L. MORRIS."

Then you wrote him on the 17th January, 1904:—

"Dear Sir,—Referring to your application for a position as a clerk, I beg to advise that I have no opening of this character at the present, nor is

there likely to be any in the near future. There are, however, openings for men who have had sufficient experience to take topography on locating parties.

"Yours truly."

A. Just at that time we were having difficulty in securing topographers.

Q. Had you not any number of applications for topographers? A. I think not.

Q. There are a number in the list from Mr. Van Arsdol's office? A. What is the date of that letter?

Q. January 17th, 1904. A. I have seen very few applications as topographers. He has not shown me any. I did not think the man was competent as a topographer.

Q. Now you remember a letter that Mr. Hislop forwarded to you from Mr. R. B. Wilkes, care of Waterous Engine Works Company, Winnipeg, Man., it does not seem to have been replied to? A. On other occasions I have had such letters and did not consider them worthy of a reply.

Q. He would have been a valuable man on a survey and his letter being a business letter would have been worthy of a reply? A. No, I would not consider it such. I do not like that style of letter myself, of course I am a little particular.

Q. You have seen levelmen asking what salary and expenses they may get? A. It is all right to make enquiry asking what we pay for levellers, but when he stipulates for $90 a month we would not answer.

Q. Could you not have answered, stating that you paid only $50. A. Yes, sir.

Q. However, you did not think it necessary to make any inquiry about this party? A. No, sir.

Q. I think he should be sent a letter back if he is still desirous of obtaining employment? A. I think he is going about it the wrong way.

Q. On the 4th December Mr. W. Prowse, of Winnipeg, writes to you asking for a position as leveller, did you answer him? A. No, sir, he did not ask for a reply. He asked me merely to mention his name to the Winnipeg office. I could not recommend him as I did not know him. I do not think I wrote the Winnipeg office, he does not ask for a reply.

Q. He asks for a position:—"I make application for employment; when you require the services of a leveller please mention my name to your office here."

Because he referred to the Winnipeg office you did not think it necessary to reply? A. I think that living in Winnipeg he would stand a poor chance there.

Q. Do you know Mr. Russell, of Spokane? A. I do not.

Q. He applied to you for a position in February of this year. You replied to him that there was no position open for a transitman, leveller or field draughtsman, but would file his application for reference when vacancy occurs? A. Yes.

Q. That was the usual answer to applications when you had no position to fill? A. Yes.

Q. There is a man named Lawrence Reading, Red Deer, who applied as rodman or chainman? A. I told him we had no opening, but the answer does not appear as in September I did not have a letter book here and there is no copy of the answer.

Q. Do you remember Mr. Weed, of Havre? A. Yes, he worked for me.

Q. On the Great Northern? A. Yes.

Q. He applied for a position? A. He wrote me twice, the work was closing up about the first of the year there. They were making extensive reductions in their staff about the 1st January. This is quite usual.

Q. You wrote to Mr. Weed that you had no opening for him? A. Yes, sir.

Q. "Your application will receive consideration when openings occur"? A. Yes

Q. He wrote you a second time in May last, and you replied as follows, on the 28th May, 1904:—

"Dear Sir,—I beg to acknowledge receipt of yours of May last, making inquiry as to the prospect of a position as instrument man on the work here. No additional parties have been put on during the past five months and at present there is little prospect of any being put on during the present season.

"As you know, instrumentmen rarely leave locating parties so I can offer you very little encouragement of a position during the progress of surveys.

"Yours truly."

Q. You usually employ axemen in the locality where parties start from? A. Yes, sir, axemen, chainmen and rodmen?

Q. That was the usual practice? A. Yes, sir. In fact I gave all my assistant engineers in the field authority to employ men, the man in the field was judge of the qualifications of his assistants.

Q. Who was Mr. E. P. Watkins? A. He is locating engineer on the Great Northern.

Q. Do you know him? A. Yes.

Q. Personally? A. Yes.

Q. He writes you from St. Paul, Minn., on April 18th, 1904:—

"Dear Sir,—I would like a position with your company as locating engineer. I have had considerable experience on railway location and construction and feel sure that I could give you satisfaction. Although I have never worked for you I think that you know something of what work I have done, but would be glad to have you refer to Mr. Hogeland, Mr. Stewart or Mr. Stevens.

"Yours truly,

E. P. WATKINS,

c/o Hotel Northern, St. Paul, Minn.

A. Although he never worked for me I know he is a good man.

Q. And you reply on the 28th May, 1904:—

"Dear Sir,—I have your favour of April 18th, answer being delayed on account of my being out of town. I am acquainted with your work on the Great Northern, and if a vacancy of assistant engineer should occur I would readily recommend you for the position; but for the present it looks as though no additional parties will be put on this season.

"If, however, there should be a demand for an assistant engineer in charge of a party, I will recommend you for the position.

"Yours truly."

Q. Mr. Tomkins applied for a position from Strathcona across the river? A. Applied both by letter and verbally a number of times. He has not been employed on the strength of Mr. Armstrong's lack of recommendation. He worked for Mr. Armstrong.

Q. Mr. Armstrong does not recommend him and he has not been employed? A. He is not a very good man and has not been employed.

Q. Who is Mr. Barnett, Mr. McNeill? A. Transitman for Mr. Stuart.

Q. Do you know whether he is an American citizen? A. I think he stated to me he was a Canadian born and I am quite sure he is a Canadian citizen.

Q. Where is he from? A. Cowley, Alberta.

THE COMMISSIONER to Mr. HISLOP: I have just got your return here. Who is W. W. Benjamin? A. He was a man sent out to me very recently when there was a vacancy.

Q. By whom sent out? A. By Mr. McNeill.

THE COMMISSIONER to Mr. MCNEILL: Q. Mr. McNeill please see page 211 of your letter book. Do you know anything about Benjamin?

Mr. McNeill reads letter as follows:—

"Edmonton, May 19, 1904.

"Jas. Hislop, Esq.,

"Assistant Engineer,

"Dear Sir,—I am sending W. W. Benjamin to you to fill the vacancy in your party. His time and expenses will begin to-day and you will please take up his receipt for travelling expenses from Edmonton to your camp.

"Yours truly,

"E. R. McNeill, District Engineer."

A. Yes, sir, he worked under my directions in Montana for one of my district engineers.

Q. Did he write before coming here? A. Yes, he wrote two or three letters. I don't know if I have them. I do not believe I replied to any of his letters.

Q. But his letters are not here? A. He wrote me personally.

Q. You would not put them in? A. I do not put in my personal letters.

Q. What did he write? A. He wanted to know if there was a position up here.

Q. Do you remember when he arrived here? A. He arrived here at the end of January.

Q. Did you communicate with him at all? A. I have forgotten whether I did write, I may have.

Q. Did he come in consequence of any letters? A. I did not invite him to come up here. He came of himself to seek employment.

Q. Is he an American citizen? A. I do not know.

THE COMMISSIONER to Mr. HISLOP: You have put down Mr. Benjamin as an American citizen.

Mr. HISLOP: That is his own statement.

Q. When did he join your party? A. In the month of May, 1904, only been there a few weeks.

Q. William Green, flagman, is entered here as an American? A. That is his statement.

Q. When was he employed? A. He came with Mr. McNeill early in April I think. He commenced about the 1st or 2nd April. His father is a rancher here and he was picked up here.

Q. Then they are settlers here? A. Yes.

Q. George R. Scorah, teamster, American? A. He was not hired by me.

Q. He is a settler? A. He was picked up here.

Q. You put the name down as Hunka, post office, Alta? A. He was hired here. He is a person of whom teams are hired.

Q. A. L. White, he is of Lacombe? A. Yes.

Q. These three are the only Americans in your party so far as you know? A. I know nothing but the statement they gave. I may say that when a man applies for work I do not ask him what his nationality is, I ask him what he can do.

THE COMMISSIONER: Thank you, Mr. Hislop, you may take your party back to work.

Adjourned until 2 p. m.

Edmonton, 15th June, 1904.
The Town Hall, 2 p. m.

Mr. E. R. McNEILL, re-examined:—

THE COMMISSIONER: Here is a letter from John Hayes, 39 Abbott street, Detroit, Mich. You remember receiving that? A. Yes, sir.

Q. Just look at the first paragraph? A. Well, I am unable to say how he could get information.

Q. You did not know him? A. I never expressed any such information to anybody.

Q. He writes:—"Have just learned that you had an opening for a few railroad engineers and I offer myself as an applicant for a place with you, for which I have the following qualifications"?

A. It may have been known that the Grand Trunk Railway was to have surveys made, he may have been so informed by some one and that party may have given him my address.

Q. You don't know him? A. No, I do not. His letter gives references. I never look up references.

Q. Then you wrote him on the 28th November? A. Yes, sir.

Q. You must have been away when his letter came? A. I was out from the 13th to the 19th November.

Q. This is your answer to him? A. Yes.

Q. The letters from Mr. Benjamin were destroyed by you, Mr. McNeill? A. Yes.

Q. You have not got a copy of the letter to you? A. I am not sure I opened it at all.

Q. He was seeking employment at the time? A. He was laid off at the first of the year and wrote me a letter. A great many of the boys I was associated with thought all they had to do was to call on me as their former employer.

...

ALEXANDER J. McLEAN, being sworn.

By THE COMMISSIONER: What is your name in full? A. Alexander Jesse McLean.

By Mr. MOWAT: Q. I was told you were a civil engineer of several years standing and also were a graduate on the science side of McGill College? A. Yes, sir.

Q. What has been the length of your professional practice and extent? A. About 28 years.

Q. On all kinds of civil engineering work? A. Location, construction and maintenance.

Q. What is your present position? A. Town engineer.

Q. Of this town of Edmonton? A. Yes, sir.

Q. And before that? A. Resident engineer, Medicine Hat, Calgary, five years.

Q. On the C. P. R.? A. Yes.

Q. And before that? A. On the Crows Nest Branch for a couple of years.

Q. Then before that? A. Six years on the Grand Trunk east.

Q. Any other? A. I am overstepping my number of years now. Three or four years on the Brockville and Western.

Q. As chief engineer? A. Part of the time as assistant chief engineer, part of the time in construction and surveys.

Q. Generally your whole professional practice has been in railway work? A. Yes, sir, I may say previous to that for six or seven years, about seven years.

Q. Has your practice, of which you have spoken brought you in contact with engineers throughout Canada? A. Yes, a great many of them.

Q. Now perhaps you are aware that part of the scope of this investigation, which is now going on, is to enquire whether there are available engineers in Canada for the positions on this Grand Trunk Pacific? A. Yes.

Q. I ask you if you could furnish me with a list, or rather furnish the commissioner with a list of civil engineers who, in your opinion, are capable of taking staff positions, by that I mean chief and responsible positions on a new railway as far as location is concerned. You have made out a list? A. I have made out a short list. (Produces a list.)

Q. You have made out a list of 16 names, I notice that after some of these names you have put a tick? A. Yes, those are men who would be capable of holding positions of division engineer, there are three or four of them who would be capable of taking charge of parties as assistants.

Q. The names ticked off on your list are:—

H. W. D. Armstrong,
J. St. V. Carry,
Henry Carry.
William Crawford,
E. H. Drury,
M. J. Butler,
G. R. L. Fellowes,
Chas. Garden,
Geo. H. Garden,
H. K. Wicksteed,
G. H. Webster,
John Woodman,

Q. These gentlemen are, in your opinion, capable of filling the position of division engineer? A. Yes, sir, quite so.

Q. Then the others here are:

Geo. A. Bayne,
Robert E. Hill,
James A. Hesketh, and
John E. Schwitzer.

Q. Now, I presume you are not so familiar with the present position of these gentlemen as to say whether they would or would not accept positions? A. Well, I really cannot say because I have not seen them for a length of time.

Q. If these positions were paid with the remuneration of $3,000 or $4,000 a year, don't you think that would tempt some of them, from your own knowledge of present remuneration? A. I should say so.

Q. Do you say you are familiar with the achievements and attainments of these gentlemen, generally speaking? A. Generally speaking I am.

Q. Have they held responsible positions to your knowledge, the most of them? A. On railways?

Q. Yes. Location work? A. Most of them.

Q. So you say they are all round engineers? A. I should say so.

Q. Now I have been careful throughout this investigation not to quarrel with the personal character or attainments of gentlemen from the other side and I do not understand that it is involved in the investigation, at the same time would you give me your opinion whether it is an advantage to have work in Canada done by Canadians, speaking topographically? A. That is as between parties coming from the States?

Q. No matter where they come from, is it better for them to have previous acquaintance with the work? A. I should say so, decidedly.

Q. Do you know whether these gentlemen whose names you gave me have had previous engineering work including location in Canada? A. I do.

By Mr. BIGGAR: You do not know in what parts of Canada? A. Well, I cannot name for what extent, but from the older provinces to this country.

Q. Individually? A. I could not say individually.

By THE COMMISSIONER: Are you a member of any society of engineers? A. No, sir, I am not.

Q. Not of the Canadian society? A. No, sir.

Q. Have you been? A. I have been, but am not at present.

Q. Do you know the Messrs. Moberley, Walter or Frank? A. I know both of them.

Q. Do you know as to their ability? A. I might have put their names down there as well.

Q. Are they capable men? A. Very.

Q. What position? A. Division engineers.

Q. Both of them? A. Both of them.

Q. Where are they? A. I am not very certain. I think one of them is at the coast, the other may possibly be in Ottawa, or west of Ontario.

Q. What has been their experience? A. Their experience has been varied, considerable mountain experience.

Q. Which is the better of the two? A. I would not like to say.

Q. Both well qualified? A. Yes.

Q. Do you know Mr. R. W. Leonard, civil engineer? A. Slightly, not very well.

Q. What do you say as to his ability? A. I should say that he is capable of occupying the charge of division engineer.

Q. Do you know Mr. Cecil B. Smith? A. I do not know him except by reputation. He is a very capable man by reputation.

Q. What about Mr. J. D. Armstrong? A. I do not think there is any better.

Q. What position would he be capable of filling? A. Chief engineer.

Q. Are there any other names that you recollect? A. Not just at present, I went pretty thoroughly through your list.

By Mr. MOWAT: Do you know C. E. Cartwright? A. No.

Q. John MacCunn? A. No, I do not, these are men who have sprung up since I was east.

Mr. VAN ARSDOL, recalled:

By Mr. MOWAT: We will ask you a few questions, you have already been sworn? A. Yes.

Q. Here is a book of applications for employment which you gave us yesterday. I have gone through the different letters and testimonials in connection with these names which appear here. I find of locating engineers of those who applied 17 were Canadians or residents in Canada; of transitmen 16; levellers 14, rodmen and chainmen 36, topographers 3, and draughtsmen 4? A. I have never looked that up. No doubt it is correct. (Looks at book.) Of the transitmen or levellers I find 15.

Q. I have 16? A. There are 16.

Q. I find here an application signed by A. H. Barnett dated 23rd March, applying for a position, curiously enough of chainman and a letter from you that there was no employment. Do you know him? A. I do not remember him. We did not employ any parties out there at that time.

By THE COMMISSIONER: Now with reference to men west you have given me some facts respecting them. I have no doubt that Mr. McNeill is correct that Mr. Sprague's party has not sent in its statement? A. It is what we call an exploratory party.

Q. Do you know the nationality of party No. 17? A. I do not know any person outside of Mr. Sprague and Mr. Kyle. They were all employed here.

Q. These are both Americans, Sprague and Kyle? A. Yes.

Q. Mr. Robinson? A. Was employed on the C. N. before, and I think he is a Canadian, but don't know.

Q. These are the only staff men that are on that party? A. Except Paul Bolbin.

Q. Do you call him as of the staff? A. Well, hardly.

Q. Mr. John Fleming? A. He was employed locally, only know him by sight?

Q. These were all employed this year? A. Yes.

Q. Mr. Callaghan's party, can you give me the nationality of that party? A. Well, Mr. Callaghan I am not sure as to his nationality, he was born in the States, I think.

Q. Well, I am sure Mr. Going or Mr. Hislop stated it. A. His employment was in Canada, I don't know whether he is an American or not.

Q. Mr. Hare? A. Mr. Hare is an American, I think, although I could not swear positively about it.

Q. Mr. Geo. Wase? A. He was employed here in Edmonton, I don't know him personally.

Q. You do not know where he came from? A. No.

Q. Have you any correspondence respecting him? A. Not that I can remember, have no recollection. When we made up the party a large number of farmers came to the office and we selected those who appeared to be better men and looked as if they had sand enough to stay with the work.

Q. Do you remember Mr. Sellick? A. I do not think that I know him, nor any of these persons.

Q. Except transitmen, draughtsmen and engineers? A. That is all.

Q. I think you mentioned Mr. Nichoson as a draughtsman? A. He was employed in the office for a while.

Q. He came with a letter of introduction from Mr. Handsacker to you? A. Yes, they came with a letter of introduction from Mr. Handasacker, with whom I was acquainted and who spoke highly of him, and as we needed men I employed Mr. Nichoson.

Q. Did you form a party No. 19? Look at your letter book, page 98:

"Drawer DD., Edmonton, Jan. 13, 1904.

"Mr. J. R. Stephens,
"Assistant Chief Engineer,
"Montreal, Que.

"Dear Sir,—Referring to your letter of January 2nd, returning requisitions for 4 dumpy levels. Mr. Kyle has furnished parties 13, 14 and 15 with levels, but we have no level for party No. 16. I have wired Mr. Kyle to-day asking if he can furnish a fourth level, as it is needed immediately, as party No. 16 will commence preliminary work soon. Relative to levels for parties 17, 18 and 19. This requisition was made on your verbal instructions when here, as it was intended that we should organize these parties one following another within a few months, and pushing supplies to the front during winter weather while the roads are in good condition and the rivers frozen, which would enable us to transport them to the front at a much lower cost than after the spring break-up.

"The requisition for 4 levels was intended to cover parties 17, 18 and 19 and to furnish party No. 16 which has no level. If, however, Mr. Kyle furnishes level for party No. 16 the requisition will then be for three only. I return you requisition which can be placed if you approve. Kindly advise me if you desire to change the arrangements made while you were here.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

"Note: Mr. Kyle has just wired me that he cannot furnish level for Party No. 16."

A. Yes, sir.

Q. Now does that provide for party No. 19? A. Well, it was intended at that time to provide for that party.

Q. Nothing has been done towards the formation of that party? A. No. 19 has never been formed. These levels are not approved on that requisition, but later we got them.

Q. Do you remember Mr. W. H. Woods, a cook, who was an American, you sent him to Mr. Mann on the 23rd February, 1904? A. I know Mr. Woods, I did not know his nationality.

Q. He came from Helena, Montana, please turn over to page 324 in the letter book? A. Yes, sir.

Q. You say there:

"Edmonton, Feb. 23, 1904.

"Mr. W. E. Mann,
"Assistant Engineer, Party 16,

"Dear Sir,—This will introduce Mr. W. H. Woods, whom I am sending to you as cook, in accordance with your request of recent date. Please return his time in the regular manner.

"So far as his February time is concerned I think you better include it in next month's time as omitted time.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

Q. That is your letter? A. Yes, sir.

Q. You did not know whether he was an American at that time? A. I did not know.

Q. There is Mr. Mann's report to you as to the nationality of these people? A. We were trying to get cooks, they are difficult to get.

Q. At page 451 I see a letter to Stuart from you, Mr. Stuart is under your jurisdiction, is he? A. Yes.

Q. The letter reads:—

"Edmonton, March 18, 1904.

"Mr. C. W. Stuart, Assistant Engineer,
"Hanley, N. W. T.

"Dear Sir,—This will introduce to you Mr. L. C. Gunn, whom I am sending to you as transitman, in answer to your request of recent date. Mr. Gunn's time will be taken up on your March roll from March the 19th inclusive. You will also please take up his expense account from Edmonton until he reaches your camp, for which he will be required to furnish you receipts in proper form.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

Q. Where did Mr. Gunn come from? A. I think he was employed by Mr. McNeill.

Mr. McNeill, interrupting: That was the same man as employed by me.

Q. Have you any correspondence? A. I think not because the man worked for me before, he wrote me a personal letter.

Q. Applying for a position? A. Said he wanted to come up here.

Q. Do you remember what you wrote when he came up, I would like to know; he came up upon your recommending him? A. I wired him that Mr. Van Arsdol wanted a draughtsman, no I wired him myself telling him there was a position.

By The Commissioner to Mr. Van Arsdol: At any rate on the 18th March, 1904, you sent him to Mr. Stuart? A. Yes, sir.

Q. Look at page 562, what do you see there about topographers?

Mr. Van Arsdol reads:

"Edmonton, Apr. 6, 1904.

"Mr. James Hislop,
"Asistant Engineer,

"Dear Sir,—Referring to yours of March 11th, relative to increase of wages of topographer. The rates for the different positions in a party are fixed by the Chief Engineer and I am not at liberty to change them without his approval. The uniform rate fixed for topographers is $50 and I have corrected your roll to conform to this rate.

"While it may be advantageous to the company to pay higher rates of salaries for some classes of work to men who are specially qualified for that work, it is a practice which in many cases may be carried to excess, and higher rates paid to men who are not specially fitted by experience for the work would be against the interests of the Company, and for this reason the company has made a uniform rate for all parties and these rates cannot be changed at pleasure.

"As a rule the position of topographer is filled by young men who are getting experience and to whom the question of experience and prospect for promotion on merit should be more of an incentive than the question of a few dollars in salary, and I cannot see why we should not get the best service that one is capable of rendering regardless of the salary that is paid for this minor position.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

A. That has reference to the salaries paid.

Q. Now as to Mr. P. T. Barnett, what does Mr. Stuart's return say as to Mr. Barnett? A. Sept., 1899, to Feby., 1900, Great Falls, he was

chainman and rodman in Great Falls; March to September, 1900, rodman and inspector at Great Falls; March, 1902, to February, 1903, rodman and inspector, Havre; March, 1903, to August, 1903, inspector, Havre; January, 1904, to present time, draughtsman, G. T. Pacific.

Q. He came here on January 1st, you do not know where he came from? A. No, sir.

Q. He apparently came from Cowley? A. I only met him on the party. Mr. McNeill explains that he got him from Cowley.

Q. Now as to Mr. H. T. Hare, you had correspondence with him before he came. You wrote him on the 22nd December, 1903:

"Box 228, Edmonton, Dec. 22, 1904.

"Mr. H. T. Hare,

"Superior, Wis.,

"Dear Sir,—Mr. E. R. McNeill has referred to me your letters of Dec. 12th and 17th relative to employment with the Grand Trunk Pacific Railway. I cannot offer you anything at the present time, but I think I will be able to give you a position as transitman probably sometime in January. If you care for place kindly advise me whether you desire this position. I will be pleased to communicate with you whenever an opportunity may offer. I return you herewith letter of recommendation from Mr. H. Hogeland.

"Yours truly,

"C. C. VAN ARSDOL, Division Engineer."

Q. Now on page 114 appears this letter:

"Drawer DD, Edmonton, Jan. 19th, 1904.

"Mr. H. T. Hare,

"1615 Hammond Ave.,

"Superior, Wis.,

"Dear Sir,—Yours of Dec. 28th is received. If you are now available for a position as transitman I can give you a position at $100 per month and expenses after you report at Edmonton. Please wire me on receipt of this letter if you accept and how soon you will be able to report for duty.

"Yours truly,

"C. C. VAN ARSDOL, Division Engineer."

Q. And on page 142:

"Drawer DD, Edmonton, Jan. 25th, 1904.

"Mr. H. T. Hare,

"Box 498, Hebbing, Minn.,

"Dear Sir,—Yours of January 16th, advising change of address, is received I wrote you January 19th to Superior, Wis., of which letter I enclose you a copy for your information, in case letter may not have reached you.

"Yours truly,

"C. C. VAN ARSDOL, Division Engineer."

Q. Have you his letters to you? A. They are among those I gave you.

Q. Now as to Mr. L. H. Morris, on page 92 I find your letter to him as follows:—

"Drawer DD, Edmonton, Jan. 13, 1904.

"Mr. Lester H. Morris,

"Ames, Iowa, U. S. A.,

"Dear Sir,—Your application of January 4th is received. I am unable to offer you employment at the present time and cannot say what con-

ditions may be by May the 1st, which you mention as the time when you will be available.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

Q. That was in answer to a letter he sent you stating he was looking for employment. On the 11th March you wrote him:—

"Edmonton, March 11th, 1904."

"Mr. Lester Morris,
"Iowa State College,
"Ames, Ia.

"Dear Sir,—I have yours of the 7th relative to employment on the Grand Trunk Pacific. In reply would state that I have nothing to offer you at the present time, but I shall be pleased to retain your application on file for future reference and, in case there is anything to offer you in the near future, I shall be pleased to again communicate with you.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

Q. At page 15 there also appears the following letter to Mr. Chas. H. Swigart:—

"Box 228, Edmonton, Dec. 22, 1903.

"Mr. Chas. H. Swigart,
"Whiteface, Mont.,

"Dear Sir,—Your letter of Nov. 30th addressed to Mr. McNeill has been referred to me. At the present time we are unable to offer you employment. It is possible that we will be placing additional parties in the field within the next two months and, should an opportunity offer, I will be pleased to advise you.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

Q. Where was Sprague appointed? A. He was given a position of transitman when he arrived.

Q. In what party? A. Party No. 18. Before that party was sent west he was temporarily employed running some lines.

Q. Who had charge? A. He really had charge of the party, but as transitman worked under the general directions of the office here.

Q. At page 578 I find a letter to Mr. Jas. Coyle:

"Edmonton, April 9th, 1904.

"Mr. Jas. Coyle,
"Hotel Brunswick, 603 Marion Street,
"Seattle, Wash.,

"Dear Sir,—Replying to yours of March 29th, relative to employment with the Grand Trunk Pacific, and enclosing letter of recommendation from Mr. W. F. Tye, we are not at the present time placing any new parties in the field, and it is uncertain when we may do so. The parties we now have are fully supplied and consequently I am unable to offer you anything at this time. I will bear your application in mind and, in case an opportunity offers, will be pleased to communicate with you.

"I return you herewith letter of recommendation as per your request.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

Q. This letter was written by you? A. Yes.

Q. I understood that you were not a member of any engineering society? A. No, sir.

Q. Were you ever a member? A. No, sir.

Q. Did you graduate from any school of science? A. I graduated from the Engineering Department of Iowa University.

Q. I think you gave me your experience the other day, Mr. Van Arsdol? A. I think so.

Mr. GOING, recalled.

By THE COMMISSIONER: Do you know Mr. Smith, the American consul at Victoria, B. C.? A. Yes, sir.

Q. He applied to you for a position for his son? A. He did.

Q. What was your answer? A. I told him he had better make application to Mr. Van Arsdol at Edmonton; that there was not survey in British Columbia at that time and we did not know how soon there might be.

Q. He wrote to Mr. Van Arsdol also, no appointment has yet been made? A. No, sir. There were no surveys then going on.

Q. His son is attending school at Tacoma? A. Yes. I believe he told me he was at Tacoma studying, he is only a lad.

Q. How long have you been acquainted with Mr. Stephens, the Assistant Chief Engineer? A. Twenty-three years.

Q. Intimate acquaintance with him all that time? A. No less than 14 years. From 1881 to 1889 was associated with him, was with him in 1888 and 1889 on Northern Pacific. Since then I have resided at Puget Mound and in British Columbia and have not been connected with him in any way.

Q. Do you know Mr. Walter Moberley? A. Of Victoria?

Q. I think he is there. A. There are two brothers engaged in work I know one of them, the one who lives in Victoria.

Q. An able engineer? A. He has broken his leg twice in the last two years and is practically a cripple.

Q. You do not know the other one? A. No, the other one was employed for the C. P. R. and located the Eagle Pass.

Regina, Assiniboia West,
17th June, 1904, Court House, 8 P.M.

The Commission resumes.

Present, HIS HONOR JUDGE WINCHESTER, Commissioner.
" H. M. MOWAT, K. C., representing the Government.
" HON. J. D. CAMERON, K. C., representing the Grand Trunk Pacific.

Mr. CHARLES W. STUART, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. Charles William Stuart.

Q. You have charge of party No. 13 on the Grand Trunk Pacific? A. Yes, sir.

Q. How long have you had charge? A. Since September 9th, 1903.

Q. Who were the staff with you on the party at that time? A.—K. S. Patuck, transitman, and J. G. B. Coyne, draughtsman.

Q.—These are the only two you had? A.—That is all.

Q.—That was not a locating party? A.—Just a reconnoissance at that time.

Q.—Who employed you, Mr. Stuart? A.—I wrote to Mr. Hays and he referred me to Mr. Stephens and Mr. Stephens referred me to Mr. Kyle.

Q.—That was when? A.—Last August.

Q. Where were you at the time? A. Edmonton.

Q.—What were you doing at Edmonton? A.—I was transitman on the Canadian Northern.

Q.—How long had you been there? A.—Since December, 1902.

Q.—I understand you are a Scotchman? A.—Yes.

Q.—Have you had any experience in the United States in civil engineering? A.—Got my education there.

Q.—Where were you educated? A.—In the State of Maine.

Q.—At what college there?—A.—Three years' apprenticeship under Professor Richardson of Perdue University.

Q.—You served three years under him? A.—Yes.

Q.—When was your apprenticeship through? A.—In 1898.

Q.—How long had you been in the United States prior to that? A.—Thirteen or fourteen years.

Q. Were your parents living there? A. Yes.

Q. Did you become an American citizen? A. No.

Q.—Did you ever vote? A.—No.

Q. Never took out papers? A. I don't believe I did.

Q.—Do you know? A. Yes, I am certain of it.

Q.—Where is your father now? A.—He is dead.

Q.—Where did he die? A.—Killed in a railway accident at St. Louis.

Q. Is your mother alive? A. Yes.

Q.—Where? A.—In Winnipeg.

Q.—Did you ever vote for president? A.—No, I was not of age when I lived in the States.

Q.—In 1898 you were under age? A. Yes.

Q.—How old are you now? A.—23.

Q.—When did you come to Canada? A.—1900.

Q. What had you been doing after leaving college, or after leaving your profession, until you came to Canada? A.—Travelling most of the time.

Q.—What doing? A.—I was in England for part of the time.

Q. In any business? A. I earned $5.00 working in the States, that's all.

Q.—In 1900 you came to Canada, what part? A.—Toronto, it was in July, 1899, when I went there to work with Speight and Van Nostrand.

Q.—How long did you remain with them? A.—Until December, 1900.

Q.—And then where? A.—Winnipeg.

Q.—Where? A.—On the C.P.R.

Q.—How long were you with the C.P.R.? A. Until December, 1902.

Q.—And then you went on the Canadian Northern? A.—Yes.

Q. Who form your party now? A. Mr. Gunn, transitman; Mr. Talbot, leveller; Mr. Barnett, draughtsman, and Mr. Savage, topographer.

Q. What became of the other two that you had? A. They were discharged.

Q. By you? A. Yes.

Q. Where did you employ them, or who employed them? A. I believe Mr. Kyle employed them.

Q. What was their nationality? A. I think Coyne was a graduate of the Military College last year and Patuck came from Ontario.

Q. And they were not able to do the work you assigned to them? A. No.

Q. Do you know who employed Mr. Gunn? A. I do not know.

Q. How long has he been employed? A. 1st of April last.

Q. Was he in the party before this? A. It was the 30th March that he arrived. He was on the road a while caught in a snow drift.

Q. But he came to your party? A. On the 30th March.

Q. Whose office did Mr. Gunn take? A. Mr. Patuck's.

Q. When did Mr. Patuck leave? A. On the 1st April.

Q. And Mr. Gunn reported to you on the 30th March? A. On the 30th March.

Q. He is an American citizen? A. I believe so.

Q. And Mr. Barnett is your draftsman? A. Yes.

Q. When did he join the staff? A. On the 19th of January.

Q. Do you know who employed him? A. I am not certain.

Q. Mr. McNeill is your district engineer, he has charge of your party and he employs the different men? A. Sometimes Mr. Van Arsdol employs them, as division engineer.

Q. I do not think Mr. Van Arsdol had very much to do with employing your men, I think Mr. McNeill employed them all? A. Yes.

Q. Then Mr. Savage is your topographer? A. Yes.

Q. Whose place did he take? A. That position was created when we started preliminary work.

Q. When did he join the party? A. He joined the party in September, 1903.

Q. When did Mr. Talbot join your staff? A. On the 11th May, 1904.

Q. He has been acting as leveller since? A. Yes.

Q. He is an American citizen, too, I understand? A. I believe so.

Q. When did Hamilton join your party? A. On the 21st of February.

Q. Who employed him? A. I did.

Q. Where? A. Hanley.

Q. Where did he come from? A. He was on a homestead there.

Q. He is a settler? A. Yes.

Q. You return him as an American citizen? A. He has settled in Canada, however.

Q. How long since he made his homestead entry? A. I think this is the second or third year of settlement.

Q. And then Abrahamson? A. He is an American Norwegian or Swede, I don't know which.

Q. He is a settler also? A. Yes.

Q. When did he join the party? A. On April the 21st.

Q. How long has he been in Canada, do you know? A. I don't know, it is over a year.

Q. And Mr. Tweeton? A. He is an American Swede.

Q. Is he a settler also? A. Yes, he is off the party now.

Q. He is discharged now? A. No, he left of his own accord.

Q. He was assistant topographer? A. Yes.

Q. Do you know Mr. R. W. Jones? A. Yes, he was my former chief.

Q. Where did you get acquainted with him. A. On the C.P.R. in Manitoba.

Q. Do you know whether he is an American citizen or not? A. I don't know; he has been in Canada a long time, a long time before I met him.

Q. Four or five years? A. I don't know how long.

Q. He was born in Iowa, it was stated? A. I don't know; he was in Canada working a long time before I met him.

Q. How far from here? A. About 33 miles.

Q. Do you know a man named P. A. Shaver? A. No, I do not.

Q. Ever heard of him? A. No.

Q. He is on the C.N.R. camped near Battleford? A. He must have gone up lately.

Q. How far is that from here? A. About 250 miles. He must be with Mr. McDonald.

Q. You have heard of him? A. No, but that is the only locating party on the C.N.R. there.

By Mr. Mowat:—How long has your mother lived in Winnipeg? A. Five years.

Q. Was she able to build after your father's death? A. No, she occupied suite 347, Steele Block, Portage Avenue, Winnipeg.

By Mr. Cameron:—You have always been clear that your father never naturalized on the other side? A. He never naturalized, he never voted.

Q. You yourself were born an Englishman? A. Yes.

By Mr. Mowat:—Did you know any of the principal men on the staff of the Grand Trunk Pacific when you were in the States? A. No.

Q. How long did you remain with Speight and Van Nostrand? A. From July, 1899, to December, 1900.

Q. About a year and a half? A. Yes.

Q. What did you do with them, town surveys? A. The city surveys.

Luther Collins Gunn, being sworn:

The Commissioner:—What is your name in full? A. Luther Collins Gunn.

Q. Are you transitman with party No. 13? A. Yes, sir.

Q. When were you employed as such? A. I left Edmonton March 19th, 1904.

Q. Previous to that you had been living at Index, Washington State? A. Previously I had been at Edmonton.

Q. Previous to being in Edmonton you lived in Index? A. Yes, sir.

Q. When did you leave Index? A. January 13, 1904.

Q. In consequence of what? A. A telegram.

Q. From whom? A. E. R. McNeill.

Q. He telegraphed you to come to Edmonton? A. Yes.

Q. Do you think this is a copy of the telegram? A. (Reading telegram) Yes, sir.

Q. "Edmonton, Jan. 9, 1904.

"L. C. Gunn,

"Index, Wash.

"Can give you work at once. Wire if you come."

"E. R. McNeill."

Do you know how he came to send that telegram? A. I had written to him for a position.

Q. On the Grand Trunk Pacific? A. Yes, sir.

Q. From Index you had written him? A. Yes, I wrote him from Index, once.

Q. You knew him over there? A. Yes, I worked for him a couple of years.

Q. On what railway? A. On the Great Northern.

Q. What position did you occupy at the time you wrote to Mr. McNeill for employment? A. The first time I was assistant engineer on the Great Northern, maintenance of way.

Q. When was that? A. In October, 1903, I cannot say whether it was October or November.

Q. And the second time you wrote him? A. I was assistant engineer.

Q. You remained assistant engineer? A. No, I took a vacation on the 20th November, and when I came back I found that the company had left off some parties and I had nothing to do when I came here.

Q. Quite a number were laid off at that time from the Great Northern? A. There were two parties.

Q. Is that the Great Falls Railway or another railway besides the Great Falls Railway? A. I do not know what you would call the Great Falls Railway, is it part of the Great Northern?

Q. You were on that when you wrote? A. Yes, sir.

Q. What position did you apply for? A. I did not apply for any position, I applied for some work.

Q. What salary were they paying you? A. $90 per month and expenses.

Q. You now receive $100 and expenses? A. Yes, sir.

Q. You have stated that you are an American citizen, I believe? A. Yes, sir.

Mr. MOWAT:—What would be the length of your professional career as an engineer before you came here? A. I worked at it since 1896, when I was not in school.

Q. You went out as rodman and worked up? A. The first thing I did was flag flying.

Q. You were going through school. A. No, sir, I did not finish school.

Q. You acquired your experience in the field? A. Yes, sir.

P. I. BARNETT, sworn:—

By THE COMMISSIONER:—What is your name in full? A. Peter Imrie Barnett.

Q. How long have you been draughtsman with party No. 13 on the Grand Trunk Pacific? A. Since January the 14th, 1904.

Q. You were living at Cowley at that time? A. Yes, sir.

Q. How long had you been living at Cowley? A. Since September 7th, 1903.

Q. Before that, where were you? A. In Montana on the Great Northern.

Q. How long were you on the Great Northern? A. On the main line about two years, down on the Montana Central a little over a year.

Q. You were under Mr. McNeill? A. Yes, sir.

Q. How long were you under him? A. Indirectly all the time I worked on the road.

Q. You were about three years on the road? A. About that time.

Q. You began in September, 1899, as chainman and rodman on the road? A. Well I worked for a while and was off for a year.

Q. In 1901? A. Yes.

Q. You worked until September, 1900? A. I don't remember now.

Q. What were you doing in 1901? A. I was in the B. & M. smelters in the concentration works.

Q. Where did you receive your education? A. In the High School.

Q. Where? A. In Fergus, Ont.

Q. Were you born in Fergus? A. Yes.

Q. What township? A. Garafraxa.

Q. East or West? A. West.

Q. How many miles from Fergus? A. About four.

Q. Do you know Mr. Woods there? A. I do not know him personally. I have heard of him.

Q. Where do your people live, Mr. Barnett? A. In Fergus.

Q. What were you doing in Cowley? A. I have a ranch there.

Q. And you were living with your brother at the time? A. Yes.

Q. Was it from Cowley that you applied for a position on the Grand Trunk Pacific? A. No, it was at Havre, a verbal application to Mr. McNeill before he came here.

Q. Did you take out papers of naturalization in the United States? A. No, only intention papers.

Q. When did you take them out? A. I think in September, 1901.

Q. That is when you were with the smelter people? A. Just about that time.

Q. Have you had any intention since of filling out the naturalization papers? A. No, sir.

Q. And when did you say you came to Cowley? A. About the 7th of September, 1903.

Q. And you were appointed to your present position about the 14th January, 1904? A. Yes.

By Mr. MOWAT:—B. & M. stand for? A. Boston & Montana.

Mr. BRUCE HAROLD SAVAGE, being sworn:—

By THE COMMISSIONER:—What is your name in full? A. Bruce Harold Savage,

Q. Did you come from Montreal to your present employment? A. Yes, sir, on September 1st.

Q. You are topographer? A. Yes, sir.

Q. Where were you born? A. In Granby, Que.

Q. And you lived in the Province of Quebec ever since, until you came here? A. Yes, but for a year and a half I was down in South America for the National Aspinwall Company for one year.

Q. When? A. That was from October, 1900, until November, 1901.

Q. That is all, Mr. Savage?

PETER TALBOT, being sworn:

THE COMMISSIONER: What is your name in full? A. Peter Talbot.

Q. I understand you came from Bismark, North Dakota, to Canada? A. Yes, sir.

Q. Are you an American citizen, Mr. Talbot? A. Yes, sir.

Q. What occupation were you following in Bismark? A. I was rodding.

Q. With what company? A. I was for the Northern Pacific.

Q. Under Mr. McNeill? A. No, I was under a man named Pollard. I did not know Mr. McNeill at all.

Q. When did you apply for employment? A. About the middle of April, 1904.

Q. To Mr. Van Arsdol? A. Yes, sir.

Q. Did you know Mr. Van Arsdol personally? A. Yes, sir.

Q. You applied about the 23rd February? A. I did not write the first time then.

Q. This is your letter? A. Yes.

THE COMMISSIONER reads:—

"Bismark, North Dakota, 2/23/1904.

"C. C. Van Arsdol,

"Dear Sir,—Yours of last fall received after I got to this town. You said at that time you would not do any work till spring so I thought I would write you, as it is about spring with you. I would like a job with you as leveller or any other place you can give me. I do not think there is much chance of any work for this company. This work here will not last much longer. This country is a fright to work in the

winter time and this has been a cold one. Give me rain in place of snow and cold.

"Yours respectfully,

"PETER TALBOT."

Grand Pacific Hotel, Bismark, N. D.

Q. Did you improve your position? A. It is not quite so bad as on the Northern Pacific.

Q. You had previously written to Mr. Van Arsdol on the 30th September, 1903? A. Yes, sir, I wrote him from Tacoma, Washington.

Q. This is your letter from Olympia, Washington? A. Yes, it was from Olympia.

THE COMMISSIONER reads:—

"Olympia, Wash., Sept. 30, 1903.

"Mr. C. C. Van Arsdol,

"Dear Sir,—At last this job has been finished and the party has been disbanded. Mr. Pollard has got about a month's work at Mandan, North Dakota, on the bridge there. I am going with him as rodman. When I get back from there I would like a place from you, if you have any work for me. A letter sent me in care of the office in Tacoma will reach me.

"Yours,

"PETER TALBOT,"

c/o Div. Eng., N. P. Ry., Tacoma, Wash.

THE COMMISSIONER: And Mr. Van Arsdol wrote you on the 3rd October, 1903? A. Yes, sir.

Q. Is that the letter? A. Yes, sir, I should think so.

Mr. CAMERON: If these letters are personal letters I should prefer that they be not read.

THE COMMISSIONER: They are addressed to Mr. Van Arsdol as division engineer.

Mr. CAMERON: These men were considered as personal friends and the letters should be considered as personal.

THE COMMISSIONER: Mr. Van Arsdol wrote as division engineer and the letters were placed on the office files.

THE COMMISSIONER reads:—

"Victoria, Oct. 3, 1903.

"Mr Peter Talbot,

"c/o Div. Engr., N. P. Ry.,

"Tacoma, Wash.

"Dear Sir, Yours of the 30th ultimo, with reference to a position on the Grand Trunk Pacific, has been received. Mr. Van Arsdol is at present out of the city, but your letter will be referred to him upon his return.

"I would state, however, that surveys will not begin until sometime in the spring, but if you will keep me advised of change of address I shall communicate with you when an opportunity offers.

"Yours truly,

"C. C. VAN ARSDOL, Division Engineer."

Q. You wrote him again as stated on the 23rd February, then what was the next communication you had with Mr. Van Arsdol? A. The next I had from him was a telegram.

Q. Was that the telegram he sent you, Mr. Talbot? A. Yes, sir.

Q. It is dated Edmonton, 21st April, 1904, addressed to you at Bismark, N.D., and is as follows:—"If available level seventy-five report to C. M. Stuart at Hanley, Assiniboia. Wire me when you will leave.

"C. C. VAN ARSDOL."

Q. Did you answer that? A. Yes, sir.

Q. Do you remember what was your answer? A. Yes, sir.

Q. And on the 22nd April you wired him: "Can't leave till May first"? A. Yes, sir.

Q. And then you received an answer from Mr. Van Arsdol on the same day. Do you remember that? A. Yes, sir.

THE COMMISSIONER, reading: "All right, if you can leave May first." A. Yes.

Q. Then on the 30th April you received another telegram from him? A. Yes, sir.

Q. Addressed to you at Bismark, N. D., which is as follows:—"Report Saskatoon, Assa., and get letter from Stuart at station"? A. Yes, sir.

Q. In consequence of that, what did you do? A. I started for Canada.

Q. And arrived here? A. I got to Saskatoon on May 11th.

Q. And you entered into the employment of the Grand Trunk Pacific from that time? A. Yes, sir.

Q. Did you say you were born in the United States? A. Yes, I was born in the State of Maine.

Q. Where did you receive your education as engineer? A. In the field.

Q. What practice have you had, or experience? A. About six and a half years.

Q. On the Northern Pacific? A. Yes.

Q. Altogether on the Northern Pacific? A. Yes, sir.

Q. You are still an American citizen? A. Yes, sir.

Q. Do you remember Peter A. Shaver? A. I don't know the man.

Q. Never heard of him? A. Not to know of him.

Q. You do not remember him at Saskatoon immediately after you got there? A. I met quite a number of the C. & R. men.

Q. He was not a C. & R. man at the time he was looking for employment? A. I met a number there but did not learn their names.

Q. Who came with you? A. No one.

Q. You came alone? A. Yes.

Mr. COLLADAY, sworn:

THE COMMISSIONER: What is your name in full? A. Walter Earl Colladay.

Q. You are in charge of No. 12? A. Yes, sir.

Q. How long have you been in charge? A. Since May 1st, 1904.

Q. Who formed your party at that time? A. Well, the transitman was Mr. Hicks, levelman Mr. Street, topographer Mr. Anderson, and draughtsman Mr. Smith.

Q. The same party as now? A. No, Mr. Hicks has left.

Q. I thought Mr. Stuart was there now? A. Mr. Stuart has charge of party No. 13.

Q. A. S. Stuart was entered as levelman of your party? A. Street, not Stuart.

Q. Who employed you, Mr. Colladay? A. I was employed by Mr. Stephens.

Q. In what manner? A. I wrote to him applying for a position.

Q. Where from? A. From Illinois.

Q. What position did you ask for at the time? A. I did not ask for any particular position.

Q. Do you remember the date of that letter? A. No, I do not.

Q. About what time? A. One was written in February, 1904.

Q. Did he reply to it? A. Yes.

Q. What was his reply? A. He told me he had nothing at present.

Q. Then what did you do after receiving that letter? A. I did not write that letter from Illinois. The first letter I was on the Santa Fé.

Q. You knew Mr. Stephens when he was on the Santa Fé? A. Yes.

Q. What were you on the Santa Fe? A. I was resident engineer.

Q. Where? A. At Quay, Oklahoma.

Q. Then when did you write the second time? A. I wrote him another letter when I got home in Decatur, Ill.

Q. And in answer to that letter what did he say? A. Well, he made about the same reply as he did to the first, practically the same thing.

Q. Then how did you come to come here? A. I received a letter afterwards from Mr. Stephens.

Q. What did he offer? A. He offered me a position as assistant engineer.

Q. At $150 per month? A. At $175 per month.

Q. What had you been receiving as resident engineer? A. $175 and expenses.

Q. You had $175 and expenses? A. Yes, the same thing.

Q. Was the party formed when you came? A. Yes.

Q. Who had charge before you? A. Mr. Raymond Heckman.

Q. He is the nephew of Mr. Kyle? A. Yes, sir.

Q. He is on the C.P.R. now? A. I believe so.

Q. Did you know Heckman on the other side? A. No, sir.

Q. You were born on the other side? A. Yes, sir.

Q. What State? A. Illinois.

Q. Are you still an American citizen? A. Yes, sir.

Q. Then it was in consequence of the letter from Mr. Stephens, that he would give you the position of assistant engineer at the rate of $175 per month that made you come here? A. Yes, I had no permanent position at that time on the other side.

Q. Had you left the Santa Fé? A. Yes.

Q. So you were doing nothing? A. Well, I was simply doing some construction work on an interurban road between Champlain and St. Louis.

Q. Mr. Hicks you say has left? A. Yes, sir.

Q. When did he leave? A. He was discharged about the 16th of last month.

Q. 16th of May? A. Yes, sir.

Q. Why discharged? A. Incompetency.

Q. He was an American too? A. Yes, sir.

Q. Where is he now? A. I do not know.

Q. Not on any of the other parties? A. No, sir, I think he went back to St. Paul.

Q. He came from there? A. Yes.

Q. And who is in his place? A. Mr. Baxter.

Q. Did you employ Mr. Baxter? A. No, Mr. Kyle did.

Q. And when was Mr. Baxter employed? A. I believe Mr. Baxter arrived at Qu'Appelle on the 12th of last month, and arrived after I came on the 16th.

Q. From where? A. From Winnipeg.

Q. Do you know when he arrived in Winnipeg? A. I don't know.

Q. When do you say you arrived in Canada? A. On the 15th April last.

Q. Mr. Anderson was then topographer and still is? A. Yes.

Q. What part of the States did he come from? A. I think from Washington.

Q. Do you remember when he joined the party? A. He was there when I came.

Q. And Mr. Smith was of the patry? A. Yes.

Q. Do you remember what part of the States he came from? A. I think he was from Ontario.

Q. C. S. Smith? A. No, E. G. Smith, from the Province of Quebec.

Q. How long was he in the Province of Quebec? A. I guess he was born there, a Canadian.

Mr. MOWAT:—You were resident engineer at Oklahoma? A. Yes, sir.

Q. In maintenance? A. In construction.

Q. You had never been on location? A. Yes, sir.

Q. You never did arrive at the eminence of being assistant engineer? A. I was on the line of the Santa Fè from Arkansas City to the river.

Q. How long ago? A. About two and a half years ago?

Q. You are a man about 28?—A. 25.

Q. It was on that line that you were acquainted with Mr. Stephens? A. No, I did not know him on location.

Q. Only met him when on construction? A. Yes, sir.

Q. Who was your chief when you were on location? A. Mr. Jones.

Q. R. W. Jones? A. No, a different Mr. Jones altogether.

Q. And in this construction work you were immediately associated with Mr. Stephens, close to him? A. Yes.

Q. What was he? A. He was engineer of construction.

Q. Chief engineer or engineer? A. Mr. Damon was chief engineer.

Q. What do you call that branch of the Santa Fè? A. The Eastern Oklahoma branch.

Q. Then you think it was there that Mr. Stephens formed such an estimate of your ability that he was willing to give you a position on the Grand Trunk Pacific when you applied for it? A. Possibly so.

Q. Of how many consisted your location party when you were down there? A. 17 men.

Q. How long were you in charge? A. About two and a half months.

Q. That was your experience on location work? A. Well, I had been transitman before that.

Q. How long? A. Nine months.

J. C. BAXTER, sworn:

THE COMMISSIONER: What is your name in full? A. John Crichton Baxter.

Q. You are transitman on party No. 12? A. Yes, sir.

Q. Since when? A. Since the 12th May, 1904.

Q. Succeeded whom? A. Mr. Hicks.

Q. Where were you employed previously? A. I was assistant engineer on maintenance of way on the Northern Pacific at one time.

Q. When? A. I left that position on 24th April, 1904.

Q. How long had you been at that? A. Three years.

Q. Where were you working? A. On a division from Tacoma to Columbia River.

Q. From Tacoma to Columbia River? A. From Tacoma to Pasdena.

Q. Under whom? A. Under Mr. T. H. Crosswell.

Q. Did you apply to Mr. Stephens or Mr. Kyle for a position on the Grand Trunk Pacific? A. I applied to Mr. Kyle, he told me that there was nothing to do, as they did not wish to employ Americans.

Q. When was that? A. In December, 1903.

Q. Where were you then? A. I was still assistant engineer on the Northern Pacific.

Q. How did you come to Canada? A. Mr. Heckman, who had formerly charge of this party, was an old friend and acquaintance of mine and asked me to come up here and I came to Winnipeg and did not get a job.

Q. Was he on the Grand Trunk Pacific? A. He was when he wrote to me but he was not when I came, but his uncle I supposed could arrange so that I would not be there idle longer than necessary.

Q. Then you came in answer to Mr. Heckman's invitation? A. Yes.

Q. And when did you arrive here? A. I arrived in Winnipeg on the 1st of May, I think, I am not sure whether it was the 30th of April or the 1st of May.

Q. How long had you been in the States? A. I was born in the States.

Q. What is your age? A. 22 this year.

Q. You have lived all the time in the States? A. Yes, except two years in Scotland.

Q. Are you an American citizen? A. I believe I am.

Q. How often did you vote? A. A number of times, in four or five city elections.

Q. And for the president? A. I only voted for the president once.

Q. You are still an American citizen? A. Yes.

Q. Now, what was your salary on the Northern Pacific? A. $75 a month and expenses.

Q. And how much are you now getting? A. $100 and expenses.

Q. And you were employed by Mr. Kyle? A. Yes.

Q. When? A. Well, I think it was the 11th May he told me to go out. I arrived at Qu' Appelle the next morning.

Q. Did he give you a letter to Mr. Colladay? A. Yes.

Mr. CAMERON:—Have you got that letter, Mr. Baxter? A. I have it, not with me.

Q. You have it in the camp? A. Yes.

Q. Have you the letter from Mr. Heckman? A. He telegraphed me.

Q. You have not got a copy of that wire? A. No.

Q. What position did he say you would get here? A. Transitman.

Q. That was the position his uncle gave him. A. When I arrived in Winnipeg, his uncle told me he could not give me a position, but about then Mr. Hicks was discharged.

Q. He was discharged and you got his position? A. Yes.

Q. Did you meet Mr. Hicks. A. I met him on my arrival in camp.

Mr. MOWAT: How long were you in Winnipeg? A. The interval between my arrival on the 1st and the 11th May.

Q. And you had been assistant engineer in charge of maintenance? A. Yes.

Q. How long? A. For three years or something less.

Q. Previous to that time? A. Yes.

Q. And before that? A. I was Mr. Kyle's transitman in the States before.

Q. On the Northern Pacific. A. Yes.

Q. How long? A. About a year.

Q. And before that what was your employment? A. I was resident engineer on the Oregon Short Line.

Q. How long? A. I was there about six months.

Mr. CAMERON:—Your parents were Scotch people? A. Yes, sir. My father had never been naturalized.

Q. They left Scotland for the States? A. Yes.

Q. Settled in Oregon? A. In New York.

Q. New York first? A. Yes, sir.

Q. Your father you say has never been naturalized? A. My father has never been naturalized and I have had some correspondence with the British Consul. Mr. Kyle told me definitely that he could not give me a position in the first place because he had none open and then because he believed me to be an American and the general manager had issued an edict against such employment, so I wrote the British Consul.

Q. To what point? A. Portland, Oregon, and he wrote me a letter which I received in due course and which I showed to Mr. Kyle, who said it would be all right.

Q. Did you get any statement as to your citizenship? A. As soon as I arrived in Winnipeg I telegraphed to the British Consul in Portland.

Q. Who is the British Consul in Portland? A. James Laidlaw.

Q. What does he think of it? A. He thought it was all right.

Mr. STREET, sworn:—

By THE COMMISSIONER:—What is your name in full? A. Stanley A. Street.

Q. You are leveller with party No. 12? A. Yes, sir.

Q. How long have you been with that party? A. I started on December 18th, when we started the preliminary line.

Q. You were the first leveller? A. Yes.

Q. Where were you employed? A. In Winnipeg.

Q. How long had you been there? A. I arrived there I think about the 18th November last from the C.P.R.

Q. How long were you on the C.P.R.? A. About two years.

Q. What doing? A. I had various positions, fighting my way out west in construction and location.

Q. For two years previous to last November? A. Yes.

Q. You were born in England? A. Yes.

Q. And came from there to Canada? A. Yes, sir.

W. M. ANDERSON, being sworn:—

THE COMMISSSIONER:—What is your name in full? A. Walter Morris Anderson.

Q. You are topographer to party No. 12 under Mr. Colladay? A. Yes, sir.

Q. When were you employed as such? A. I was employed on February 20th, 1904.

Q. Where? A. At Davidson.

Q. Where is Davidson? A. Davidson is on the Prince Albert branch.

Q. How did you come to Davidson? A. I came there from Washington.

Q. Washington State? A. Yes.

Q. What part? A. North Yakima.

Q. When did you leave there? A. I left there on February 15th or 16th.

Q. 1904? A. Yes.

Q. What were you doing there? A. I was acting manager of the telephone system.

Q. How did you come to leave? A. I left on an order from Mr. Heckman, who offered a position here.

Q. Mr. Heckman communicated with you before that? A. Mr. Heckman and I had been acquainted for a long time.

Q. He was engineer in charge of that party? A. Yes.

Q. Where were you born, in Washington State? A. No, sir, I was born in Philadelphia, Pennsylvania.

Q. And you are an American citizen, Mr. Anderson? A. Yes, sir.

Q. What were you receiving per month when employed by Mr. Heckman? A. I was not employed on a railway, I was working for a telephone company.

Q. How much were you receiving? A. $75 per month and expenses.

Q. The same that Mr. Heckman offered you? A. Yes, sir.

Q. When did Mr. Heckman write you? A. I cannot say.

Q. You have not got the letter? A. I do not think I have, it was just a personal letter that I received and a telegram from Heckman to come.

Q. Did he offer you the position you have now? A. Yes.

Q. And the wages? A. I knew what the wages were before from correspondence.

Q. From correspondence with Mr. Heckman? A. Yes.

Q. And in consequence of that you came over and reported to him at Davidson? A. Yes, sir.

Q. On the 15th February? A. No, I reported there on the 20th February, 1904.

Q. And what about your transportation, did you pay that yourself? A. Yes, sir.

Q. Right to Davidson? A. Yes, sir.

Q. They have not recouped you? A. Not yet.

Q. And you have been with Mr. Colladay ever since he came here? A. Yes, sir.

Q. How long did Mr. Heckman have charge of the party after you came, three or four months? A. Two and a half I think, from February 20th practically to May 1st.

Q. Had you any experience on railway work before you came? A. Yes, sir, I worked at it for four years.

Q. Where? A. In Washington and Montana?

Q. Under whom? A. Mr. Kyle.

Q. That is Heckman's uncle? A. Yes, G. A. Kyle.

Q. Do you know Douglas Kyle? A. Yes, sir.

Q. He is also an American citizen? A. So far as I know.

Q. He is away out in No. 17? A. Yes, sir, I know he is out there,

Q. How long were you under Mr. Kyle? A. About three and a half or four years.

Q. On what road? A. On the Northern Pacific all the time.

Mr. MOWAT:—Have you got the telegram from Mr. Heckman on which you came here, did you keep it? A. Yes, sir, I have it?

Q. Have you got it here? A. Yes, sir.

Q. Let us see it. You knew at this time that Mr. Heckman was engineer in charge of the party? A. Well, no, I knew that he was up here, but I did not know in exactly what position when I received that position. I knew he would not have sent for me—

Q. That was good enough for you? A. Yes, that satisfied me?

Q. I suppose the fact of his being the nephew of Mr. Kyle made you feel more confident? A. No, sir, that did not affect it at all.

Q. At any rate you knew that Mr. Heckman was Mr. Kyle's nephew? A. Yes, sir.

Q. The telegram was from Davidson, N.W.T., February 10, 1904, addressed to W. M. Anderson, Manager Sunset Telephone and Telegraph Company. You were at Tacoma? A. No, at North Yakima.

Q. You were at North Yakima, the telegram reads: "Want topographer, can you report here February twentieth, answer." (Signed) R. Heckman. And what did you answer him? A. I answered him that I was going.

Q. Did you answer by wire? A. Yes, sir.

EMILE GUSTAVE SMITH, being sworn: —

By THE COMMISSIONER: —What is your name in full? A. Emile Gustave Smith.

Q. You are draughtsman with party No. 12. A. Yes, sir.

Q. Are you a Canadian? A. Yes, sir.

Q. They have returned you as an American? A. They were wrong.

Q. You have never been an American citizen? A. Never.

Q. Where were you born? A. In Montreal.

Q. And have been living in Canada ever since? A. Well, for 43 years, I lived five years in America.

Q. Where? A. St. Paul, North Dakota, everything you want.

Q. How long have you lived in St. Paul? A. For the last five years, when I am not working.

Q. Why do you make it your home? A. Because it is handy for me to get work there.

Q. When did you go to St. Paul? A. I used to live in Ottawa, from there I went to St. Paul.

Q. When? A. In 1899.

Q. What occupation were you following at that time? A. I had none.

Q. What did you do when you went to St. Paul? A. I waited there a little while and went to Bismark, North Dakota, to work on a party.

Q. As what? A. Draughtsman.

Q. Where did you learn to become a draughtsman? A. I was a natural draughtsman, my father was one before me, I worked for the government in Ottawa.

Q. How long were you on the Bismark route? A. Not quite a year.

Q. Did you take out your intention papers? A. No, never.

Q. Ever voted on the other side? A. No, never.

Q. How long were you there altogether? A. Where?

Q. In St. Paul and Dakota? A. Pretty nearly five years altogether.

Q. And you were always working in connection with railways since you were there until you came here? A. I came back from St. Paul on the 1st of March last.

Q. Applied to Mr. Kyle for a position and came in February? A. No, I did not apply to Mr. Kyle.

Q. To whom did you apply? A. I applied to the division engineer at North Bay, I did not know his name, my letter came back to Winnipeg.

Q. And did they reply to you? A. Yes, I got a letter that I could get work as draughtsman at $75 per month.

Q. Have you that letter? A. I have it in camp.

Q. When did you receive that? A. About the 14th February if I don't mistake.

Q. I don't want you to make a mistake about it, about what time. A. About that time.

Q. What was the letter? A. That he would give me a position as draughtsman of a party with $75 a month and expenses from Winnipeg.

Q. What qualifications did you possess? A. The best of all.

Q. Which? A. Samples of my work.

Q. Did you tell Mr. Kyle where you had been working? A. Yes.

Q. You told him that you had been working on these different lines in the United States? A. Yes, and I sent him my references to men in the United States that I knew.

Q. You did not know Mr. Kyle when he was there? A. No, never saw him before.

Q. Who was your chief? A. At Bismark, Mr. Dixon.

Q. After him? A. Mr. Muster.

Q. And the next? A. Mr. Johnson.

Q. Were these all. A. Yes.

Q. And you are sure you never voted for the president? A. I am positive.

Q. For any other man in the United States? A. No.

Q. Did you vote in Canada before you went to the States? A. Yes.

By Mr. Cameron:—What has your experience as draughtsman been? A. I have been draughtsman for 27 years, a natural draughtsman since 1879.

Q. Where in Canada? A. I have been in the government service for 18 years.

Q. Elsewhere in Canada? A. I was in the Ottawa Electric Company for two years.

Q. Who was your chief when in the government employ? A. Mr. J. F. Baillargé, Deputy Minister of Public Works.

Q. Your father before you was an engineer? A. My father was an engineer on the Suez Canal.

Mr. Colladay, recalled:

By The Commissioner: Have you any names of the members of your party you can give me? A. Yes, I can give you the names of all.

Q. Are there any Americans? A. There is one, I do not know his nationality, whether he is an American or a German.

Q. Where is he from? A. He immigrated to the United States.

Q. When? A. I do not know, I understood he came to Canada and was here a while.

Q. Have you a statement of the others in your party? A. Yes.

Q. Did you send in a list? A. That list was sent in just before I came away. I think it must be down in Winnipeg now.

Adjourned until Monday, 20th June, 1904, at Winnipeg.

The Court House, Winnipeg, 20th June, 1904, 2 p.m.

The Commission resumes,

Present—His Honor Judge Winchester.

" H. M. Mowat, K.C., for Dominion Government.

" J. D. Cameron, K.C., for G. T. P. Ry.

Mr. F. W. Fink being sworn:

The Commissioner: What is your name in full? A. Frederick William Fink.

Q. You are with party No. 10 on the Grand Trunk Pacific location? A. I am.

Q. What position do you occupy on that party? A. Draftsman.

Q. How long have you been with that party? A. About one month.

Q. Who has charge of it? A. Mr. Mann.

Q. Since when? A. I think since last Tuesday or Wednesday.

Q. During last week you mean? A. Yes.

Q. W. E. Mann? A. I do not know his initials.

Q. Prior to that who had charge? A. Mr. Kelliher.

Q. And prior to Mr. Kelliher have you any knowledge? A. No, sir.

Q. Who employed you? A. Mr. Kelliher.

Q. Where were you when he employed you? A. In San Francisco, Cal.

Q. How did he employ you? A. He wrote and asked me if I would accept a position as draftsman and I telegraphed him, yes, and came up to Birtle.

Q. Have you got that letter with you? A. No, Sir.

Q. What did you do with it? A. I do not know, left it in San Francisco.

The COMMISSIONER to Mr. KYLE: Has Mr. Kelliher got the wire that Mr. Fink sent him? A. I do not know.

To Mr. FINK: What were you employed at when you received that letter? A. I was doing nothing at the time.

Q. How did he come to write to you? A. Well I left the party he had charge of last winter to visit mother and was seeking employment and I was in San Francisco.

Q. On what line? A. Denver and Salt Lake.

Q. And Mr. Kelliher had charge of that party? A. Yes.

Q. You were draftsman? A. I was transitman.

Q. What was the nature of the work of the party? A. The projecting of lines.

Q. Locating? A. Just projecting.

Q. The same as now? Exactly the same.

Q. What experience have you had as civil engineer? A. 17 years.

Q. Where? A. In the United States and Mexico.

Q. Will you tell me of some positions you occupied during that time? A. I have occupied every position on a party, up to locating engineer.

Q. You began I suppose with the rod? A. I began as topographer.

Q. And were not chainman or rodman? A. No, Sir.

Q. Began as topographer then became leveller, draftsman and transitman? A. Yes, Sir.

Q. What roads were you on? A. On the Northern Pacific, Colorado Springs and Cripple Creek, El Paso and North Eastern, Denver and South Western.

Q. Did you graduate from any college or university as civil engineer? A. I did.

Q. Which? A. Lehigh University.

Q. Were you born in the United States? A. Yes, Sir.

Q. Where? A. In Pennsylvania.

Q. You are still an American citizen? A. I am.

Q. When did you apply to Mr. Kelliher for work? A. On my way from the east to San Francisco.

Q. You wrote him asking for employment? A. I asked him if there was any work doing up here.

Q On the Grand Trunk Pacific Railway? A. On the Grand Trunk Pacific.

Q. Do you remember when that was? A. I do not remember the date exactly.

Q. About what time do you think it would be? A. The beginning of last month.

Q. And was it in answer to that letter that he offered you the position you now occupy? A. I do not know.

Q. What did he do when he received your letter, did he reply to it? A. I supposed that was an answer to my letter.

Q. That was the only answer you got from him? A. Yes, Sir.

Q. Offering you what position? A. He did not offer me a position, he asked me if I would accept a position.

Q. That counts as an offer? A. Well, I do not know, an offer should mean my transportation and expenses paid.

Q. What was the offer he actually made? A. He merely asked me if I would accept a position as draftsman.

Q. At what salary? A. $75 a month and expenses.

Q. What did you do next? A. I telegraphed him that I would start that evening.

Q. Do you remember what that evening was? A. I think it was about the 11th May, 1904.

Q. And you reached Canada about what time? A. I reached Birtle on the 13th May.

Q. When did your salary commence from? A. I do not know I have not received any since.

Q. You have been working since then under Mr. Kelliher and within the last few days with Mr. Mann? A. With the exception of about two weeks Mr. Allan had charge.

Q. While Mr. Kelliher was away on his wedding tour? A. Yes.

Q. What about your transportation was that paid or promised? A. It was not paid or promised.

Q. Paid it yourself? A. Yes, Sir.

Q. Was there any promise as to any portion of that being repaid to you? A. No, Sir.

Q. Your salary is $75 and expenses on the work? A. Yes.

Q. And you have been acting as transitman since the 17th May? A. Yes, about that time, I do not exactly remember the date.

Q. Did you know Mr. Kelliher any length of time before you came here? A. I have known him since 17 years.

Q. And he has been in the States since that time? A. I met him the first year he came.

Q. Have you been connected with the same railways that he was on during that time? A. No, Sir.

Q. Where was he when you met him first, where was he living? A. In Ogden, Utah.

Q. How long was he there? A. I dont know.

Q. And you have been engaged with him all the time to the present time? A. No, Sir, I did not meet him again for probably 15 years.

Q. Until a couple of years ago? A. Yes, Sir.

Q. How often have you voted for President? A. Twice.

Q. Do you know whether he ever voted for the president? A. I know he has not voted. He told us in camp one night that he was a British subject.

Q. And did he say he had not voted for the president? A. He said he had never voted.

Q. Who came over with you, Mr. Fink? A. Nobody.

Q. You came alone? A. Yes, Sir, I came alone.

Q. Mr. Green is your leveller? A. He is.

Q. And Mr. Gill your topographer? A. He is.

Q. When did they come there, before or after you? A. I think Mr. Green came before and Mr. Gill after.

Q. Are they American citizens like yourself? A. Mr. Green is but Mr. Gill is not.

Q. I have a return here which puts you down as a leveller and Mr. Green as draftsman. You were always the draftsman of Party No. 10, how is that? A. When I came Mr. Green had been acting as draftsman.

Q. But you were employed as draftsman? A. Yes.

Q. Is there any member of your party an American besides Mr. Green and yourself? A. I do not know of any.

The COMMISSIONER: That is all Mr. Fink. Have you any questions to ask Mr. Mowat?

Mr. MOWAT: No, but I want to put in that telegram when I get it.

The Court House, Winnipeg, 20th June, 1904, 2 p.m.

Mr. J. A. GREEN being sworn:

The COMMISSIONER: What is your name in full? A. John A. Green.

Q. How long have you been a civil engineer, Mr. Green? A. About 10 years. Q. Where have you spent these ten years? A. In the United States.

Q. What States, what particular State, or in several? A. Several.

Q. What railways were you on? A. The Union Pacific, the Rio Grande, the Oregon Short Line, Texas Central, Colorado Springs and Cripple Creek, Rio Grande Western, Northwestern, Western Pacific and several others I cannot think of.

Q. You have about enough I suppose? A. Yes.

Q. Where were you employed latterly? A. The Western Pacific Railway.

Q. Was Mr. Kelliher on that road? A. No, Sir.

Q. Were you on any road on which Mr. Kelliher was engaged? A. On the Denver, Rio Grande and Oregon Short Line.

Q. When was that? A. I cannot state the date of the Oregon Short Line but I was with Mr. Kelliher four or five years.

Q. When did you leave the Oregon Short Line? A. About a year ago.

Q. When did Mr. Kelliher leave it? A. About the same time.

Q. What position did you occupy on that road? A. Assistant engineer.

Q. What position did Mr. Kelliher occupy? A. Division engineer.

Q. On what work? A. Maintenance of way and construction.

Q. Any experience as locating engineer? A. Yes, Sir.

Q. Where? A. Western Pacific and Northwestern Pacific.

Q. Under Mr. Kelliher? A. No, Sir, except in changes of line in the maintenance of way.

Q. That is only short distances. A. Yes, very short distances.

Q. Were you born in the United States. A. Yes, Sir.

Q. What State? A. Ohio.

Q. And you are an American citizen? A. Yes, Sir.

Q. Did you apply for a position on the Grand Trunk Pacific? A. Yes, Sir.

Q. To Mr. Kelliher? A. Yes.

Q. When? A. Something like a year ago.

Q. Have you got a copy of the application? A. No, Sir.

Q. Did you receive a reply? A. Yes, Sir.

Q. Have you the reply? A. No, Sir.

Q. What was his reply? A. I do not remember just what the reply was, I mean his letter, it was in substance that he had not accepted a position with the Grand Trunk Pacific.

Q. Himself? A. Yes.

Q. Where was he at the time? A. With the Denver, Colorado people.

Q. At the time you wrote him where was he? A. At Denver.

Q. How did you come to write to him there? A. He told me he expected to be employed on the Grand Trunk Pacific.

Q. That was a year ago? A. Something like a year ago.

Q. Then you next wrote him after he came here? A. After he came here.

Q. You heard he had been employed? A. Yes.

Q. You made application for what position? A. No position in particular.

Q. Do you remember when it was you wrote him the second time? A. I could not say, I think it was in February of this year.

Q. When did he answer that? A. I think he answered it some time in April.

Q. What did he state in answer? Have you that answer? A. No, I have not.

Q. Was it by wire or by letter? A. By letter.

Q. What became of that letter? A. I canot say I have not seen it since I received it.

Q. What was there in the letter?

A. He told me that he could offer me a position as draughtsman on a party at $75 until something better showed up and asked me to wire him if I accepted or not.

Q. I suppose $75 and expenses. A. Yes, Sir, part of my expenses.

Q. And where were you then? A. In San Francisco.

Q. What position were you occupying then? A. I had no position at that time.

Q. You wired him then in answer?

Q. You wired him then in answer? A. I wired him, yes.

Q. Accepting position as draftsman? A. Yes.

Q. When did you arrive in Canada after wiring him? A. About the 3rd or 4th May I cannot remember.

Q. Before Mr. Fink? A. Yes, before he arrived in camp.

Q. What position did you take when you arrived? A. Draftsman.

Q. Under Mr. Kelliher? A. Yes.

Q. With Party No. 10? A. Yes, Sir.

Q. Who had been draftsman previous to that? A. I cannot say.

Q. How long did you continue acting as draftsman? A. I do not know that.

Q. A week? A. I cannot say.

Q. Are you still draftsman? A. I do not know.

Q. Can any one give me better information than that? A. Mr. Kelliher, I guess, can.

Q. You heard Mr. Fink's evidence? A. Yes, part of it.

Q. You heard him say he was draftsman, are there two draftsmen in the party? A. I think not.

Q. Well can you give me your duties, what are you doing? A. I am running a level.

Q. You said you were employed as draftsman on that party? A. I was employed as draftsman.

Q. I suppose it makes no difference whether you are draftsman or leveller as long as you get the same remuneration. A. I think the draftsman has the best job.

Q. At the same wages? A. At the same wages.

Q. You do not object to Mr. Fink having a good thing do you? A. No.

Q. Can you tell me who was leveller when you went there? A. There was none.

Q. No draftsman? A. No.

Q. No topographer? A. I think not. There was no regular party formed when I joined, there were only a chief engineer and an engineer in charge.

Q. And those were the only two on the staff? A. Yes, Sir.

Q. How long had the party been organized? A. I do not know.

Q. Never heard? A. No, Sir.

Q. Do you remember Mr. McGuire? A. Not by name.

Q. Was he ever with your party? A. Not that I can remember.

Q. You are still an American citizen? A. Yes, Sir.

Q. And you have not been paid yet? A. The month has only just expired the last of this month.

Q. The pay-list has not come up yet? A. No.

PETER T. GILL, being sworn:

By the COMMISSIONER: What is your name in full? A. Peter T. Gill.

Q. Do you know what position you occupy on this party? A. Yes, topographer.

Q. Were you the first topographer employed with the party? A. Yes, Sir.

Q. When were you employed? A. About the 20th May.

Q. By whom were you employed? A. Mr. Kelliher.

Q. Where were you when employed? A. With the Denver Northwestern.

Q. On the 20th May? A. Well I left them about the 12th May, 1904.

Q. What position did you occupy on the Denver road? A. Transitman.

Q. How long have you been a civil engineer? A. Nine years.

Q. Where was your experience during that time? A. I had some experience in Ireland and worked on the Oregon Short line, Columbia and Northwestern.

Q. You were born in Ireland? A. Yes, Sir.

Q. When did you come to America? A. In 1900..

Q. And you spent the last three years in the United States? A. Part of that time I was back in Ireland.

Q. You visited Ireland since you came? A. Yes, Sir.

Q. And you were only on these roads you have mentioned? A. Yes, Sir

Q. That is where you met Mr. Kelliher? A. Yes, on the Oregon short line.

Q. How long? A. About 2½ years.

Q. Did you take out any papers of naturalization? A. No, Sir.

Q. Did you apply for any? A. No, Sir.

Q. None? A. No, Sir.

Q. You never voted in the States? A. No, Sir.

Q. Or in Ireland? A. I voted in Ireland once.

Q. But not in the States? A. No, Sir.

Q. You are still a British subject? A. Yes.

Q. How did they come to call you an American on the return they made to me? A. I don't know, they may have called me one but I don't believe I am one.

Q. Let us know that exactly? A. The fact is I am not one.

Q. Why do you say you believe you are not one, did you give your name in as one? A. I never made any application.

Q. Did anybody do so for you? A. I don't know that anybody did that for I never gave anybody authority.

Q. How did they come. A. They were misinformed.

Q. By whom, yourself? A. No, Sir.

Q. Never asked you? A. No, Sir.

Q. Did not Mr. Kelliher ask you if you were an American citizen. A. I don't remember because I did not tell him I was an American.

Q. You are quite positive about that? A. Absolutely positive.

Q. They put down your name as an American? A. That is a mistake.

Q. Peter T. Gill? A. That is a mistake, I made no application as an American and I am not one.

Q. You never exercised American citizenship? A. Never.

Q. Was it necessary before you got employment on the Oregon short line to be an American? A. I never made known that I was.

Q. You kept quiet about your nationality? A. I did not see that it was necessary to talk about it.

Q. You kept away from that part of the business? A. I do not think it would prejudice my chances in any way even if I had not.

Q. You did not tell them that you were an American citizen? A. No, Sir.

Q. Who appointed you over there? A. Mr. Kelliher appointed me, I was recommended by a young fellow that Mr. Kelliher knew.

Q. Not from the old country? A. No.

Q. You got an American not an Englishman to recommend you? A. Yes, Sir.

Q. Why did you do that, was it necessary? A. It was necessary to have something to do.

Q. But was it necessary for you to have some one who was an American to recommend you? A. No, Sir. I did not know he was that when I asked him to recommend me.

Q. You do not know yet? A. I dont know yet.

Q. How did you say he was an American? A. I presumed so.

Q. Do not presume, are you sure that you are willing to swear that that man was not an American? A. I can swear I am a British subject and I think he was an American citizen.

Q. I am absolutely certain that he is an American citizen, where did you live while you were in the States? A. I lived in Colorado and in Idaho.

Q. Only in these two States. A. A short time in Denver, Colorado.

Q. How long? A. I guess about three months.

Q. How long in Pocatello? A. About three years.

Q. And in Colorado? I lived longer in Idaho.

Q. Did you graduate from any university? A. From the university in Dublin.

Q. The same university that Mr. Kelliher was in? A. I think so.
Q. You did not know him there? A. No I knew him in Idaho.
Q. Was he in Pocatello? A. Yes, Sir.
Q. How long? A. I cannot say when he went away but he was there when I was there.
Q. Did you apply by letter to Mr. Kelliher for work here? A. I asked Mr. Kelliher before he came out here if he would let me know and I would come.
Q. There was no correspondence after that? A. Yes, he wrote me and told me that possibly I might get a chance here if I came out.
Q. Have you got that letter? A. I dont believe I have.
Q. Where would it be? A. I believe I destroyed all my letters before I got to Utah.
Q. You were in Utah? A. Yes.
Q. How much were you getting then? A. $90 a month and expenses.
Q. You are not getting that much now? A. No, Sir.
Q. You are getting $75 a month and expenses. A. Yes, Sir.
Q. Did you wire him that you would come? A. I wired him on receipt of his letter that I would come.
Q. And to whom did you apply when you came to Canada? A. I wired Mr. Kelliher that I would come to Winnipeg and to let me know if there was anything.
Q. When did you wire? A. About the 12th or 13th of May.
Q. This last month? A. Yes.
Q. When did you arrive in Canada? A. On the 20th or 21st of May.
Q. And to whom did you apply when you arrived in Winnipeg? A. To Mr. Kelliher.
Q. Was he here? A. I knew he was in Birtle and I wired him there.
Q. You wired him at Birtle that you had arrived and asked if there was anything for you? A. I received an answer to go out to Birtle.
Q. And met him there? A. Yes.
Q. And have been with him since? A. Yes.
Q. Have you got any of these letters or telegrams? A. Possibly, I dont know, I think I destroyed all the letters before I left Utah.
Q. But you have got some since you left Utah? A. I did not.
Q. You got a telegram from Mr. Kelliher? A. I got a telegram in Winnipeg to go on to Birtle.
Q. Where is that? A I may have it but I dont think I have.

By Mr. CAMERON:

Q. Did you do any professional work in Ireland? A. Yes.
Q. How long? A. About a year and a half on the Galway and Clifton Ry.

CLYDE M. BULL being sworn:

By the COMMISSIONER:

Q. What is your name in full? A. Clyde M. Bill.
Q. You are transitman with party No. 10? A. Yes, Sir.
Q. When were you employed? A. About January 20 and 25th sometime around there.
Q. Were you the first transitman of that party? A. The first transitman of that party.
Q. Who had charge then? A. Mr. Kelliher.
Q. Who composed the staff at that time? A. Mr. Kelliher, myself and a chainman, an axman and a cook.
Q. What duty was the party doing? A. Explorations and surveys.

Q. You are now locating? A. No, Sir.

Q. What are you doing now? A. Preliminary surveys.

Q. Do you know Mr. E. D. McGuire? A. Yes, Sir.

Q. What position did he occupy on the staff? A. I think he came out as draughtsman.

Q. When? A. Sometime in March or thereabouts. He only stayed a short while.

Q. Would it be about the 20th of April? A. Probably it was sometime there.

Q. Where did he come from? A. I do not know that. Doubtless he came direct from Winnipeg. That is what I know. He was sent from Winnipeg.

Q. To act as draughtsman? A. Yes.

Q. Did he act as draughtsman? A. I dont think he did.

Q. How long did he remain with the party? A. About two weeks.

Q. What work did he do in the two weeks? A. Nothing at all.

Q. And what became of him? A. He left.

Q. Of his own accord? A. With a time cheque.

Q. That is he was discharged? A. I think he was discharged.

Q. Discharged by whom? A. I think by Mr. Kelliher.

Q. Do you know that? A. He was the man in charge.

Q. Do you know positively? A. No.

Q. And you swear that he did no work during these two weeks? A. I think he completed about 12 acres during the time he was out there.

Q. Had he nothing else to do but what he did? A. No.

Q. Who instructed him to do it? A. I believe Mr. Kelliher tried it.

Q. You did not? A. That is not my business.

Q. And you were out in the field when he was there? A. He was in the camp.

Q. So that as a matter of fact you did not see what he was doing while you were in the field and he in camp? A. I did not see what he was doing.

Q. Did you see anything that he did while there? A. Oh Yes.

Q. As draughtsman? A. Yes.

Q. All he did? A. Yes.

Q. Who sent him out? A. I cannot say.

Q. Or where he came from? A. No.

Q. Where were you born? A. In Madoc.

Q. How long have you been civil engineer? A. About seven years.

Q. Where have you been practicing. A. In Manitoba and the Territories together.

Q. You were the first draughtsman after Mr. McGuire left? A. Well Mr. Greene and Mr. Fink.

Q. You have two draughtsmen? A. For a time I believe at once.

Q. What do you mean by at once? A. I mean that Mr. Greene arrived first and was draughtsman and ————

Q. How long did he continue as such? A. About probably two weeks.

Q. Then who took his place? A. I think Mr. Fink.

Q. Why? A. I cannot say why.

Q. Was he any more capable than McGuire as draughtsman? A. Yes.

Q. Did he do more work? A. He was a draughtsman, McGuire was nothing.

Q. And Green was he as capable a draughtsman? A. A first class draughtsman or leveller.

Q. Do draughtsmen get the same salary as leveller? A. In my experience the same.

Q. And the topographer? A. A topographer gets a higher wage.

Q. He gets a higher wage than the leveller? A. He has the same wages on the Grand Trunk Pacific.

Q. These men draughtsmen, topographer and leveller each get $75 and expenses? A. Yes, Sir.

Q. Mr. Fink was appointed draughtsman? A. I believe so.

Q. Was there any doubt about it? A. Well no, at present he is draughtsman.

Q. How long ago was it? A. I cannot tell the date.

Q. You remember when it was? A. Probably the 4th or 5th of May.

Q. He has been draughtsman? A. I believe so.

Q. You have a higher position and when the engineer is away you really have charge? A. Yes.

Q. So that you know whether Mr. Fink has been acting as draughtsman ever since he came? A. I believe he has.

Q. And Mr. Greene has been acting as leveller ever since Mr. Fink came and Mr. Gill has been acting as topographer? A. Yes, Sir.

Q. Mr. Mann is in charge of the party? A. Yes.

Q. Are you not capable of taking charge of that party? A. Well I dont know. The Grand Trunk people are those to decide.

Q. You have not applied for that position? A. I am perfectly willing to leave it to them.

Q. You have not applied? A. No, Sir.

Q. But during the absence of the chief, you have taken charge? A. Yes

Q. And with the approval of the heads of the department? A. Yes.

Q. Who is your division engineer? A. I cannot answer that, I do not know.

Q. You do not report to any of these men yourself? A. No.

Q. Is there any man in party No 10 other than Mr. Greene whom you think is an American? A. Not that I know of.

By Mr. MOWAT:

Q. Have you spent your life in Canada Mr. Bull? A. The greater part of it.

Q. Your professional life? A. Yes.

Q. All your professional life has been spent in Canada? A. Yes, Sir.

Mr. A. A. MEADOR being sworn:

The COMMISSIONER: What is your name in full? A. Amos A. Meador.

Q. What party do you belong to? A. Party No. 9.

Q. As transitman? A. Yes, Sir.

Q. How long have you been transitman to party No. 9? A. Since March 1st, 1904.

Q. Who employed you? A. As transitman?

Q. Yes?

Q. Yes? A. Mr. Heaman.

Q. He is in charge of that party? A. Yes.

Q. Where did he hire you? A. In camp.

Q. About the first of March, 1904? A. That is when I undertook my duties as transitman.

Q. Were you employed in any other position? A. Yes, Sir, when I first came as axeman.

Q. Where from? where were you living? A. Newkirk, Oklahoma.

Q. How did you come from Oklahoma to Canada? A. How do you mean?

Q. How did you come here? A. I came—well I do not know exactly how I came.

Q. With whom? A. With Mr. Hancock and Mr. Parsons.

Q. Where is Mr. Hancock? A. At his home in Cornwall.

Q. Cornwall, Ontario? A. No Cornwall, England.

Q. Is he an American? A. No a Cornishman.

Q. What had you been doing in Oklahoma before coming here? A. I was working in the field first as chainman and then as rodman.

Q. How long before coming here? A. About eight months, I suppose.

Q. Before then what were you doing? A. I was in college.

Q. You graduated in college about eight months before, that would be June, 1902? A. I did not graduate I came out of college in June, 1902.

Q. What did you do after leaving college? A. I went to work on the Eastern Oklahoma Railway.

Q. What college did you study in? A. I was in the University of Texas.

Q. Were you born in Texas? A. Yes, Sir.

Q. How long ago? A. I was born in 1882.

Q. Now, what particular studies did you apply yourself to in college? A. I took a course in civil engineering.

Q. Did you graduate? A. No, Sir.

Q. Why? A. It was a four years' course and I took two.

Q. And then you joined a party on the Oklahoma Railway as chainman and rodman, and remained with them how long? A. Well from November 1902 to June 1903.

Q. Did you know any of the officers that now belong to the Grand Trunk Pacific when you were on that road? A. I was working under one.

Q. Whom? A. Mr. A. G. Allen.

Q. What was his position? A. Division engineer.

Q. How long had he been there do you know? A. No, Sir.

Q. He employed you did he? A. Indirectly I suppose you would say.

Q. I mean on the Oklahoma road? A. Yes, Sir.

Q. Did he leave there before you? A. Yes before I did.

Q. When? A. About 1st June, 1903.

Q. And you left on? A. I left there on the 16th June, 1903.

Q. Did you apply for a position on the Grand Trunk Pacinc before then? A. I do not know that I could say an application.

Q. How do you consider it? A. I would not call it an application.

Q. Well, how did you come to come here? A. It is quite a story.

Q. We are here for that purpose—A. Well the transitman of a party generally takes charge when the assistant engineer is away and the most of the work in a party is done by subordinates so that I thought I had no opening and Mr. Allen had left and I came up here. The transitman was willing to come if I would leave

Q. Who was transitman? A. Mr. Hancock.

Q. Who had charge of the party? A. Mr. Allan.

Q. Where was he at the time? A. He was about 30 miles north of Rat Portage somewhere in the vicinity of White Dog. H. B. Post.

Q. Then he employed you there as axeman? A. Yes, Sir.

Q. Hancock was transitman? A. Yes.

Q. And Parsons? A. As axeman.

Q. Parsons is leveller now? A. Yes, Sir.
Q. And you are transitman? A. Yes, Sir.
Q. Who was transitman at the time? A. They had no transitman.
Q. No draughtsman? A. No.
Q. Leveller, topographer? A. No, Sir, exploration only.
Q. Then you were employed about the 23rd or 25th of June? A. About that time.
Q. At what date did you arrive in Canada? A. 25th June.
Q. What salary were you getting then, here? A. $60 a month and expenses.
Q. And you are getting now? A. $100 and expenses in camp.
Q. What State were you born in? A. Texas.
Q. You are still an American citizen are you? A. Yes.
Q. And the only experience you had as civil engineer is what you state? A. Exactly what I told you.
Q. Have you any letters that passed between you and Mr. Allan? A. None at all.
Q. Nor Hancock? A. No, Sir.
Q. Mr. Hancock was employed by Mr. Allan in Oklahoma? A. I suppose so, I took that for granted. I done know what passed between Mr. Allan and Mr. Hancock.
Mr. MOWAT: Mr. Hancock seemed to be intimate with Mr. Allan? A. Well not more so that the ordinary instrument man with the ordinary surveyor.
Q. I note that you said Mr Hancock had been given authority to employ men? A. Not to employ.
Q. Tell us that story? A. In nearly all parties the transitman is at the head when the engineer has gone, and even when the engineer is in camp the transitman is consulted. In coming away we had his authorization.
Q. Before you came? A. He had then consented to be transitman for Mr. Allan but had done no work in Canada.
Q. But you understood with the practice that the transitman would have authority to obtain other men for the party you thought you could bank on that? A. Recommend them alone.
Q. You thought that was good enough for you? A. I knew of no authority.
Q. He had no authority except the ordinary practice of the profession? A. No, Sir.
Q. And that is the ordinary practice of the profession that transitman help the engineers to fill up parties? A. That is what I understand.
Q. What are the other Americans in that party, Mr. Meador? A. As I understand, Mr. Parsons and Mr. Perrin.
Q. When did Mr. Perrin come there? A. In March last I believe.
Q. Is he here to-day? A. Yes, Sir.
F. O. PARSONS *being sworn*:
The COMMISSIONER: What is your name in full? A. Frederick O. Parsons.
Q. How long have you been a civil engineer? A. About 1½ years.
Q. When did you graduate? A. I did not graduate at all?
Q. Served your course in the field? A. Yes.
Q. Where? A. In Oklahoma and in Canada.
Q. Who employed you to come to Canada? A. I came up with Mr. Hancock.
Q. Did he ask you to come to Canada? A. Yes, Sir.

Q. Just as he did Mr. Meador? A. Yes, Sir.
Q. When did he ask you? A. Sometime about the 1st June, 1903.
Q. For what party did he ask you to come to Canada? A. As axeman of No. 9.
Q. That is Mr. Allan's party? A. Yes, Sir.
Q. That is what Mr. Hancock told you? A. Yes, Sir.
Q. He told you and Mr. Meador? A. Yes, Sir.
Q. As axeman on the Grand Trunk Pacific? A. Yes, Sir.
Q. Do you know what wages he offered you? A. $45 and expenses.
Q. He told you and Mr. Meador that was what you would get? A. Yes, Sir.
Q. What were you getting in Oklahoma? A. $45 a month.
Q. And expenses? A. No.
Q. So it would be slightly better here? A. Yes.
Q. Where was your experience in the field before coming here? A. In Oklahoma.
Q. Only? A. Yes, Sir.
Q. You were born in the States? A. In Kansas.
Q. And when did you leave college? A. I did not go to college.
Q. Are you older than Mr. Meador? A. Yes, Sir.
Q. You are 23 he is 22? A. Yes.
Q. You are still an American citizen? A. Yes, Sir.
Q. You came to Canada in consequence of Mr. Hancock's request to join Mr. Allan's party, about the 20th June? A. Sometime about that.
Q. How long did you remain as axeman? A. Until about the 1st October.
Q. Then you were appointed to the position of leveller? A. Yes, Sir.
Q. And your wages increased to $75 a month? A. Yes, Sir.
Q. You are still leveller? A. Yes, Sir.
Q. What were you on the Oklahoma road? A. Chainman.
Q. For how long? A. About four or five months.
Q. Had you any experience than that when you came to Canada? A. No, Sir.

Mr. MOWAT: Were you under Mr. Allan in Oklahoma? A. Yes, Sir.

Mr. CAMERON: Mr. Hancock did not give you to understand that he had any authority to employ you? A. No, Sir, he did not.

Q. It was really an invitation on his part to come along and see what you could do here? A. Yes.
Q. Your real employment took place when he came here? A. Yes, Sir.

H. J. PERRIN being sworn:

By the COMMISSIONER:

Q. What is your name in full? A. Harry J. Perrin.
Q. What position have you with party No. 9? A. Chainman.
Q. At present chainman? A. Yes.
Q. And what are your prospects? A. Civil engineer.
Q. In charge of party? A. Yes.
Q. Who gave you this prospect? A. I expect to work there in time.
Q. There is no one that stated to you that would be the result? A. No, Sir.
Q. Who employed you, Mr. Perrin? A. Mr. Allan.
Q. Where? A. In Winnipeg.
Q. When? A. The 19th of Feb. 1904.
Q. Did you know Mr. Allan before? A. Just met him in the office.

Q. In what office? A. The city office here.
Q. In Winnipeg? A. Yes.
Q. Did you know him on the other side? A. No, Sir.
Q. Had you any experience as chainman on the other side? A. No, Sir.
Q. No experience whatever? A. No, Sir.
Q. How did you come to Winnipeg. A. Came to Winnipeg sometime ago.
Q. When? A. I was 13 when I came here first.
Q. You have been in Canada ever since 1895? A. Yes, Sir.
Q. You still call yourself an American citizen? A. I do not know what to call myself, I was born in the States.
Q. You did not become a naturalized British subject? A. I did not consider it necessary.
Q. You require to be a naturalized British subject if you are an American before you came here. What position did Mr. Allan offer you? A. Axeman.
Q. The salary is $40? A. No $35.
Q. And subsequently you became chainman? A. Yes, Sir.
Q. Then the salary went up to $40? A. Yes, Sir.
Q. That is all you are getting now? A. Yes, Sir.
By Mr. CAMERON:
Q. Do your parents live here? A. My parents are not living.
By Mr. MOWAT:
Q. Tell us how old are you? A. Between 23 and 24.
Mr. JOHN A. HEAMAN being sworn:
By the COMMISSIONER:
Q. What is your name in full? A. John A. Heaman.
Q. I have sent for you Mr. Heaman although I am satisfied that you are a Canadian subject, but I may be wrong. You have charge of party No. 9? A. Yes, Sir.
Q. How long have you had charge? A. Since the last part of Nov. 1903.
Q. Who employed you? A. Mr. Kyle.
Q. Where were you when he employed you? A. In Toronto.
Q. How long had you been in Toronto? A. About a year.
Q. What were you doing there? A. I was on the Grand Trunk.
Q. What position did you occupy? A. Assistant engineer.
Q. What were your duties as assistant engineer? A. Well maintenance work there largely, laying out new work, superintending.
Q. Where did you come from to Toronto? A. From Montreal.
Q. How long had you been in Montreal? A. Well I had been on the Grand Trunk one year previous to that time, four years previous to that in College.
Q. In McGill College? A. In McGill College.
Q. You were born in Memphis, Tennessee? A. Yes.
Q. How many years ago? A. 30.
Q. Are you still an American citizen? A. No, Sir, never was, just happened to be born there.
Q. Just merely an accident? A. Yes I guess so.
Q. Your parents were British subjects. A. Yes.
Q. How long did you remain in the United States? A. Two years.
Q. You were educated in Montreal? A. Finished my education there.

Q. As civil engineer? A. Yes.

Q. And you graduated from McGill? A. Yes, Sir.

Q. And have been practicing in Canada ever since? A. Yes, Sir.

Q. Is there any other person in your party that are Americans? A. No, Sir.

CLARENCE DE VERE FAIRCHILD being sworn:

By the COMMISSIONER: What is your name in full? A. Clarance De-Vere Fairchild.

What party do you belong to? A. No. 2, Thunder Bay branch.

Q. What position do you occupy with that party? A. Transitman at present.

Q. How long have you been transitman? A. Four months.

Q. Who employed you? A. Mr. Kyle.

Q. Where were you when employed? A. Winnipeg.

Q. How long had you been in Winnipeg? A. Six weeks.

Q. Where did you come from to Winnipeg? A. From the States.

Q. What part? A. Washington State.

Q. How long have you been civil engineer? A. Well I do not exactly know from what time I should call myself a civil engineer, if I am entitled to be called a civil engineer since I handled the instrument I have been a civil engineer for two years.

Q. Where did you graduate Mr. Fairchild? A. I studied civil engineering at the Tacoma high school in 1897.

Q. Born there? A. No, born in Kansas.

Q. Are still an American citizen? A. I have the honour to be.

Q. When did you come to Canada? A. In 1897 and went to Klondike and was there until 1902.

Q. And in 1902 went back to Washington? A. Went home on a visit and while there went to work on the Northern Pacific.

Q. Under Mr. Kyle? A. I did not have anything to do with Mr. Kyle. I was employed under Mr. Handsacker.

Q. Did you know Mr. Van Arsdol there? A. I met the gentleman once. ....

Q. You met Mr. Kyle there? A. During my duties occasionally.

Q. When did you leave the Northern Pacific there? A. I left the Northern Pacific on the 7th of December, 1903.

Q. For where? A. Winnipeg.

Q. Why did you leave? A. Because I realized that there was a possibility of a competent man getting along in Canada.

Q. How did you come to realize that? A. From what I heard about that gigantic undertaking the Grand Trunk Pacific was going through.

Q. And from the fact that such men as Mr. Kyle and Mr. Van Arsdol were in charge? A. No.

Q. You knew that? A. I knew that Mr. Kyle was in charge of a division.

Q. How did you know that? A. I knew that by the newspapers.

Q. By the newspapers only? No. I knew he had left the Northern Pacific and had come to Winnipeg.

Q. Had you any conversation with him before he left? A. None whatever.

Q. With anybody else? A. No, Sir.

Q. Did you apply for a position on the Grand Trunk Pacific before you left? A. I did. I wrote to Mr. Kyle and the letter was returned to me. I saw in the papers that parties would be sent out immediately and I tele-

graphed and I never received any answer to the telegram. Apparently Mr. Kyle at the time did not remember who I was and accordingly did not answer the telegram.

Q. Then what? A. On the 7th of December I left the Northern Pacific and came to Winnipeg.

Q. With a view of obtaining a position in the Grand Trunk Pacific? A. Possibly.

Q. Immediately on arrival what did you do? A. I renewed my application.

Q. To whom? A. Mr. Kyle.

Q. Did he know you? A. He recognized me.

Q. You told him you had written him and that you had telegraphed but got no answer. A. I believe I did mention the fact.

Q. You asked him for a position? A. No, Sir.

Q. Did you tell him you had telegraphed? A. No, Sir.

Q. When did he appoint you to a position? A. I believe six weeks later on Jan. 15th.

Q. Had he promised you a position as soon as you applied? A. No, Sir.

Q. What did he say? A. If there was an opening he would give me a chance but did not promise me any position.

Q. And what did you do then? A. I remained in Winnipeg studying at 19 William Street.

Q. Studying for what? A. My profession.

Q. You were studying works on civil engineering? A. Yes, Sir.

Q. What other study had you for a civil engineer? A. Graduated from the Y.M.C.A. as civil engineer.

Q. Where? A. Tacoma.

Q. And then what experience had you? A. Two years in the Klondike.

Q. What were you doing there? A. Mine surveying and ditch work.

Q. Any other experience? A. A year and a half on the Northern Pacific at Washington.

Q. What were you doing there? A. Rodman, building and grading inspector and in the performance of these duties there was considerable instrumental work.

Q. Who looked after the instruments when you were rodman? A. Sometimes the assistant engineer would go on a job and sometimes he would send the rodman to do some level work.

Q. How often did you go out with the instrument? A. After I had been there two or three months very often probably three or four days in a week.

Q. What work were you doing. A. Additions to buildings and general superintendent's work.

Q. Altogether? A. Yes.

Q. Not on location at all? A. No, Sir.

Q. You had no experience whatever on location? A. Nothing only general theory.

Q. With whom did you come here Mr. Fairchild, came up alone? A. Yes.

Q. Is there any other American on party No. 2, Thunder Bay Branch? A. There was no American until quite recently.

Q. Whose position did you take when you were appointed transitman?

A. Mr. Mitchell appointed me transitman when I was here. I took the place of Mr. Redmond.

Q. What became of Mr. Redmond? A. Mr. Redmond became a leveller.

Q. Which is the better position of the two? A. Transitman.

Q. Is Mr. Redmond here? A. No, Sir.

Q. How long have you been acting transitman? A. One month.

Q. Whom did you succeed? A. He was the original transitman on party No. 2.

Q. And who was the original leveller? A. I was.

Q. You rose from what position? A. From leveller to transitman.

Q. That is you changed places with the transitman? A. Yes, sir.

Q. And salaries? A. Certainly.

Q. Who was topographer on that party? A. Well the party was an exploration one and we did not have any topographer although we had a chainman who took the place of topographer.

Q. That is Mr. Hammond? A. Mr. Philips.

Q. Is he chainman? A. Yes.

Q. Mr. Hammond? A. He has left.

Q. I understand you are still an American, you said that before? A. Yes I am an American.

Q. The only other American in that party is Mr. Mayo. And he is present? A. Yes, Sir.

Q. Were you going to say anything? A. I was going to say that Mr. Mitchell and Mr. Redmond were both Canadians.

Q. Yes I know that, that is the reason I did not send for them I did not wish to put them to the trouble of coming. I tried to save all expenses possible and only sent for those there was any doubt about.

By Mr. CAMERON:

Q. You did not think you had made any agreement? A. No I do not.

By Mr. MOWAT: I suppose you went to the Klondike as a prospector in the fall of 1897? A. Well I did not go as a prospector, I went as a———.

Q. How old were you then? A. About 18.

try his luck. It was like the building up of a foundation like any young boy

Q. And the riches of the Klondike began to be known however, and as a young fellow of ambition you went there? A. Yes, Sir.

Q. Without any intention of doing any engineering work? A. Not particularly at that time.

Q. As most young fellows you went there to strike it rich and get out? A. That's it.

Q. How many were there with that party? A. I was not with a party, just probably two or three together. I went with a Dominion Land Surveyor.

Q. And do you give us to understand here that your work in the Klondike was other than prospecting for a mine? A. Yes, Sir.

Q. Prospecting for what? A. I was working for wages and working at engineering.

Q. In the way of ditching and general placer mining? A. That is very particular work.

Q. And you wished it to be understood by the Commission that you had been engaged in some scientific experience? A. I wish it to be understood that I had two years experience———

Q. You had not two years scientific experience in engineering in the Klondike. Your experience was like any ordinary man who went there to of 18 years of age.

By Mr. CAMERON:

Q. Who were the Government engineers up there? A. Messrs Butt and Jephson, Mr. Henry Sievering was the Dominion Land surveyor and did considerable work .

By Mr. MOWAT:

Q. I suppose you had no distinctive title you were called a labourer? A. That was the first time I started, I then did scientific work. Work in connection with this kind of mining is particular work.

Q. You stated that on the Northern Pacific you were on construction work and concrete inspector? A. And building inspector.

Q. And never did any superior work except here and there on location work? A. Yes, Sir.

Q. You said that you knew some of these fellows from Seattle and Tacoma were here under Mr. Kyle? A. Yes, met them in my duties.

Q. Then you came here and found some of them here already, who were they? A. Well when I got here I found an acquaintance of mine, but I did not know he was here before I came.

Q. Sherman Mason? A. Yes, but I wish to impress on you that I did not communicate with him.

Q. Mason is a draughtsman? A. Yes.

Q. And it was six weeks before you could get employment from Mr. Kyle? A. Yes, Sir.

Q. Where did you live when here? A. 319 William Avenue.

Q. You were not one of those who used Mr. Kyle's rooms for a time? A. No, Sir.

By the COMMISSIONER: What acquaintance had you with Mr. Mason? A. Just he was in a private house in Tacoma when I was on the Northern Pacific and we made acquaintance.

Q. Before he came here? A. Yes, Sir.

Q. Did you have any conversation with him before he came? A. I did not know he was here until I saw him here.

The Court House, Winnipeg, 20th June, 1904, 2 p.m.

Mr. S. J. MAYO being sworn:

The COMMISSIONER: What is your name in full? A. Stanley J. Mayo.

Q. How old are you? A. 20.

Q. 20 years of age? A. Yes, Sir.

Q. In what year were you born? A. In 1884.

Q. When did you leave school? A. At about 14.

Q. What have you been doing since then? A. I have been engineering for four years.

Q. Where? A. On the Northern Pacific.

Q. Do you know Mr. M. P. Martin comptroller of the Northern Pacific? A. Yes, he is my guardian.

Q. He lives in Tacoma, that is where you lived? A. No, I lived in St. Paul.

Q. Did you know Mr. Kyle when you were on the Northern Pacific? A. I knew him by sight that is all.

Q. How long did you know him by sight? A. About a year ago.

Q. What position did he occupy? A. Division engineer at Tacoma.

Q. Where were you working then? A. I was working on the Seattle Belt Line.

Q. How long did you work there? A. 11 or 12 months.

Q. And then where did you go to? A. To St. Paul.

Q. And what were you doing at St. Paul? A. Nothing.

Q. You lived there how long? A. For the last six years.

Q. Doing nothing all that time? A. I was working at times, but my folks lived there.

Q. What part of engineering work did you do during the four years you mentioned? A. Chainman, rodman, axeman, mostly everything.

Q. You wrote to Mr. Kyle on the 23rd of March, 1904, for a position on the Grand Trunk Pacific? A. Yes, Sir.

Q. He answered your letter? A. Yes, Sir.

Q. He says in a letter addressed to you at St. Paul, written at Winnipeg on the 28th March, 1904:

"Dear Sir,—

"Answering your letter of the 23rd instant, I beg to say that there has "been nothing that I could offer you since you were here, but I will keep you "in mind and try to give you something in the near future."

"Yours truly,
"G. A. Kyle,
"Division Engineer."

Q. Do you remember getting that letter? A. Yes, Sir.

Q. When had you been in Winnipeg before receiving that letter? A. In the latter part of February.

Q. What brought you to Winnipeg? A. Trying to get a job in engineering.

Q. You had seen Mr. Kyle then? A. Yes, Sir.

Q. What did he say about getting you employment then? A. That there was nothing at present but would keep me in mind.

Q. Then when did you write him again after March 1904, do you remember? A. No, Sir.

Q. Did you write to him? A. No, Sir, I dont think I did. I do not remember whether I did or not.

Q. Did you get any one to do it for you? A. Not that I know of.

Q. Sure? A. I do not remember. I received one letter that is all.

Q. Dont you remember your mother writing? A. She may have.

Q. Dont you remember? A. No, Sir.

Q. Did she not tell you of receiving a letter from Mr. Kyle? A. No, Sir.

Q. Did you not get Mr. Martin to write a letter for you? A. Yes, a good many.

Q. How many? A. I dont know how many.

Q. A good many letters to Mr. Kyle? A. I dont remember.

Q. Did he write at all to Mr. Kyle? A. I dont know.

The COMMISSIONER: Read that letter.

A. Witness reads letter which is as follows.

"Tacoma, Wash., February 27, 1904.

"G. A. Kyle, Esq.,
"Divn. Engineer, Grand Trunk Pac Ry.,
"Winnipeg, Manitoba.

"Dear Sir,—

"This will be handed you by my young friend Stanley J. Mayo, who is anxious to get a position in one of your engineering parties.

"Stanley is the son of my old chief clerk, A. A. Mayo, who died about ten years ago, leaving a widow and two children. Mr. Mayo was a splendid clerk and a loyal friend, and I feel great interest in his boy and want to see him succeed.

"Stanley is about 18 years old and well brought up, gentlemanly and courteous. He has had about two years experience with N. P. engineers, his last work being on the Seattle Belt Line. He would make an excellent picketman, chainman or rodman on location or construction.

"I commend him to your kind consideration and will appreciate anything you can do for him."

"Yours truly,

"M. P. Martin,

"Comptroller."

Q. Did he write that letter? A. Yes, Sir.

Q. How did he come to write that letter? A. He is my guardian and takes an interest in me.

Q. How did he come to write it, did you ask him to do so? A. No, Sir. but I told him I wanted to get work in the field.

Q. Why did you want to leave the Northern Pacific? A. There was no more work.

Q. What were you getting there? A. $50 a month and expenses.

Q. You wanted to leave there? A. Yes.

Q. And you asked Mr. Martin to write that letter for you? A. No, Sir.

Q. Do you remember carrying this letter with you from Tacoma to Winnipeg? A. Yes, Sir.

Q. How did you come to get it? A. From Mr. Martin.

Q. How did he come to give it to you, you told him you wanted to leave the Northern Pacific and get on the Grand Trunk Pacific? A. No, Sir, I told him I wanted to leave the Northern Pacific.

Q. And he wrote the letter introducing you to Mr. Kyle? A. Yes, Sir.

Q. And what did Mr. Kyle do? A. Said he had nothing but would keep me in mind.

Q. This was in February? A. Yes.

Q. In February, 1904? A. I got that letter before February 27th, 1904.

Q. When? A. I got that letter on February 6th when I was on the coast.

Q. 21 days before its date? A. Yes.

Q. That is what introduced you to Mr. Kyle? A. Yes, Sir.

Q. Then he wrote you saying he had nothing? A. Yes, Sir.

Q. He wrote to your mother in April do you know that? A. I dont know.

Q. She was still interesting herself in you the same as Mr. Martin? A. Yes, Sir.

Q. When did you leave St. Paul? A. On the 29th April, 1904.

Q. To accept a job? A. Yes, Sir, I arrived on the 30th.

Q. Of April? A. Yes.

Q. Did you receive a wire from Mr. Kyle to come? A. Yes, Sir, at 6.30 p.m. on the 28th, I left on the 29th and arrived on the 30th April.

Q. You were not letting the grass grow under your feet? A. No, Sir.

Q. What position did he offer you by wire? A. Rodman at $50 a month and expenses.

Q. Have you got that telegram? A. I have got it over at the hotel.

The COMMISSIONER: Well I would like you to go over and get it.

Mr. Mayo retires.

Mr. Mayo returns and produces a telegram.

The COMMISSIONER: This is the telegram sent to you by Mr. G. A. Kyle on the 28th April, 1904, addressed to you at 763 Portland Avenue, St. Paul and is as follows:

"Offer position rodman fifty dollars and expenses. Pay no fare to work, "answer." "G. A. Kyle."

A. Yes, Sir, and received at 6.30 that night.

Q. What was your answer to this? A. I wired that I accepted position, and left there next evening.

Q. The next evening? A. Left on the 29th and arrived on the 30th April.

Q. When you came here what did you do? A. Went right to Mr. Kyle's office.

Q. He knew you? A. I had been up here before.

Q. He knew you the second time? A. Yes.

Q. What did he direct you to do? A. He sent me to Dinormic to report to Mr. Ross, Hudson Bay manager.

Q. Then what? A. I stayed at Dinormic two weeks on account of the ice breaking up and was shipped by Mr. Ross out to Mr. Mitchell's party.

Q. And you have been with Mr. Mitchell's party ever since? A. Yes, Sir.

Q. With $50 a month and expenses? A. Yes, Sir.

Q. You are an American citizen? A. I dont know whether I am or not.

Q. You were born in the States? A. Yes.

Q. You lived there all the time? A. In Montreal also, my father worked for the Montreal street railway company for two or three years.

Q. When? I dont know my father has been dead for 10 years or more.

Q. How long have you been living in the States? A. That is more than I can say.

Q. I suppose your father lived in the States when you were born? A. I cant tell you that.

Q. Who knows you, and knows how long you have lived in the States? A. Well, Mr. Barker of Montreal.

Q. Is he the only one? Dont you think Mr. Martin would know? A. He knows a good deal.

Q. He is an American? A. I can't tell.

Q. What is your opinion about that? A. Well I dont know, I would claim he is an American.

Q. How did he come to be your guardian? A. He was appointed under father's will.

Q. Where was it made? A. In Brooklyn, New York.

Q. It was proved over there? A. Proved in St. Paul.

Q. He left property in the United States? A. No, Sir, he did not.

Q. Who had the property? A. My mother is now a property holder.

Q. How did he appoint Mr. Martin your guardian if he had no property? A. It was money.

Q. That is property. A. It is not mine yet, I am not of age. I would not call it property. I would call land and houses property.

Q. Where did he leave the money? A. It came from insurance companies.

Q. Was he insured? A. Yes.

Q. How many children were there left? A. Two.

Q. You and your sister? A. Yes.

Q. Where is she? A. With mother in St. Paul.

Q. When did your father go to the States? A. I cannot tell you.
Q. Before you were born? A. Yes, he came by Montreal.
Q. On what side of politics was he over there? A. I can't tell you.
Q. When did he die? A. About 11 years ago.
Q. You have been living since then in the States? A. Yes.
Q. Since his death? A. I worked here in Canada.
Q. Where? A. Down on Lake Manitoba for the Northern Pacific.
Q. That is in connection with the American road? A. Yes, Sir.
Q. That is during the time you have already mentioned? A. Yes.
Q. It is the branch out of Portage LaPrairie? A. Yes.
Q. By whom were you employed? A. By Mr. Bradicker, engineer at St. Paul.
Q. You can't tell how long your father lived in the States? A. No, Sir.
Q. Was he born in the States? A. He was born in Cardiff, Wales.
Q. Is your sister younger than you are? A. No, she is older.
Q. How long has your mother been in the States? A. She came over there in the latter part of 1883, I would say.
Q. That was before you were born? A. Yes.
Q. Your sister is older than you, was she born in the States? A. No, at Cardiff, Wales.

Mr. MOWAT: Your friend Mr. Martin says your father was his old chief clerk? A. Yes, Sir.

Q. Mr. Martin has always been connected with some engineering or railway work in the States? A. He was auditor general of the Northern Pacific as far as I can remember.
Q. There was a young fellow who came here the other day and stated that he had been promised a position on the party you are on, the position which you got, that he was told to get ready to start and did; this was a Mr. Girdlestone, do you know anything about that? A. No, Sir.
Q. You did not know about that? A. No, I merely read it in the newspaper.

Mr. LAWRENCE A. DAREY, being sworn:

By the COMMISSIONER: I asked Mr. Kyle to write to you to enquire among your men as to their nationality. I was quite willing to accept your statement. What is your name in full? A. Lawrence A. Darey.
Q. You have charge of party No. 11? A. Yes, Sir.
Q. Your transitman is F. F. Moffatt? A. Yes.
Q. Mr. L. H. Ferguson is leveller? A. Yes.
Q. Mr. G. H. Bryson, draughtsman? A. Yes.
Q. R. V. A. Morris, topographer? A. Yes.
Q. How long have you had charge of this party? A. Since February.
Q. You had charge of a party before? A. No, Sir.
Q. You were first employed in February of this year? A. Yes.
Q. You were employed in Winnipeg? A. Yes, Sir.
Q. How long were you in Winnipeg? A. Three years I was on the Canadian Northern.
Q. You were born in Montreal? A. Yes, Sir.
Q. And Mr. Moffatt, did you employ him? A. No, he was there when I took charge.
Q. Who had charge of the party before you? A. Mr. Tilden was, I believe, in charge of the party before me.
Q. What became of Mr. Tilden? A. I don't know, he was not there when I got there.

Q. Douglas Kyle was in charge at that time? A. Yes.
Q. This party is east of Winnipeg? A. West.
Q. Mr. Moffatt was born in Pembroke? A. Yes, Sir.
Q. How long have you known him? A. Just since February. I had spoken with him on the Canadian Northern.
Q. Not to know him? A. No.
Q. How long did you know him there? A. I just saw him in the office about a year ago.
Q. And Mr. Ferguson? A. He worked with me last year on the Canadian Northern.
Q. And Mr. Bryson? A. I did not know him.
Q. And Mr. Morris? A. Came out to me in March.
Q. This year? A. Yes.
Q. Where did he come from? A. From Winnipeg.
Q. Do you know how long he has been in Winnipeg? A. No, he was sent from there.
Q. You mention in this statement that he was employed in Montreal? A. Yes.
Q. By whom? A. He gave me to understand by Mr. Stephens, I had that idea.
Q. Do you know whether he is a British subject or not? A. That is what he says.
Q. You have no knowledge? A. No.
Q. And Mr. Bryson is a Scotchman, you think there is no doubt about that? A. If you heard him speaking you would think there was no doubt.
Q. Mr. Ferguson is a Canadian? A. Yes, Sir.
Q. Born in Mattawa? A. Yes.
Q. He and Mr. Moffatt must have been close relations, one is from Pembroke and the other from Mattawa? A. Yes.
Q. I see the names of 19 or 20 men including your own. Is there any one an American? A. I dont think so.
Q. Have you any doubt about their nationality? A. No, Sir.
Q. And you believe your statement to be true? A. Yes, Sir.
Q. What are the boundaries of your section? A. From the mouth of Stoney Creek down to a point between Reading and Duck Mountains about 240 miles west.

Mr. FAIRCHILD recalled:

By Mr. MOWAT: Did you ever work for wages in the Klondike? A. Yes.
Q. What wages did you receive? A. $150 per month.
Q. How long were you employed at wages? A. The first three years when I went there.

Winnipeg, 21st June, 1904, 10 a. m.

The COMMISSION resumes:

Present: His Honour JUDGE WINCHESTER, COMMISSIONER.
" H. M. MOWAT, K. C., Counsel for the Government.
" HON. J. D. CAMERON, K.C., Counsel for Grand Trunk Pacific.

Mr. THOMAS TURNBULL being sworn:

By the COMMISSIONER: What is your name in full? A. Thomas Turnbull.

By Mr. MOWAT: Mr. Turnbull you are a civil engineer with a practice in Canada? A. Yes.
Q. Of how long experience? A. Since 1881.

Q. Can you tell us what are your achievements in the profession? A. From 1881 to about December 1884 I was on the Ontario and Quebec Railway on construction and location, running west to Sharbot Lake, afterwards on the Boston and Maine, then for a short time, from December until probably the 1st of March, on location west of Sudbury on the C .P. R., then back again to the old Q. and O., for the balance of that year; then I came out to Manitoba and from January 1885, well for a year, we were locating the Manitoba Southwestern from Manitou west and located and built several miles. From here I went down to the short line from Sherbrooke east, known as the C. P. R. short line. I was there nearly two years on construction. I remained there on permanent way for a short time then I was locating the Toronto, Hamilton and Buffalo from Hamilton to Smithville and towards Toronto. This took until about the early part of June 1889, I think, when I came back to Winnipeg and was back in the mountains for a few months only, and then in September, I think, went down to Newfoundland and went on locating the Hogsdale road. I remained there nearly two years, and I was about seven months building a dock at Placentia Harbour.

Q. That would bring us to 1891? A. In 1891 I came back to Manitoba; in the summer of 1891 built the street railway at Winnipeg. I was one year roadmaster and then I worked a short time for the C. P. R. until I went on the Canadian Northern. I think I was three years in charge of the Canadian Northern; since then I have been doing a good deal of work for the Government, surveying and exploring work.

Q. The Dominion Government? A. Yes.

Q. Part of the scope of this investigation now going on before Judge Winchester is to determine whether there are Canadian engineers of attainment and capacity who would be capable of filling important offices on this new line. I have called you as an engineer of experience to ask if there are such engineers of experience on Canadian location and familiar with the topographical condition of Canada. What do you say? A. I think there would be little difficulty in getting all the men required for that.

Q. Have you any men in your mind who would be available, would be in a position to accept, would be tempted by say the prospect of being on the Canadian National Railway and its possibilities, together with a remuneration say of $3,000 or $4,000 a year? A. I think that would tempt the best of them.

Q. The best engineers in Canada? A. I think so.

Q. There are a number of engineers who have applied for positions on this work but I will not take up time reading their names to you. Can you give me the names of engineers you know, having had experience in Canada and responsible positions in engineering work including location? A. Well I can give you the names of some.

Q. Have you a list? A. I have made out a list.

Mr. CAMERON interrupting: I do not see that this comes precisely within the scope of the Commission.

The COMMISSIONER reads from the COMMISSION and proceeds:

"You see Mr. Cameron that the reasons already given why the Grand Trunk Pacific employed Americans was that they could not find competent Canadians, that therefore, in consequence, it was necessary to appoint Americans. this is the only reason why this can be given in evidence.

Mr. CAMERON: Well it seems to me that evidence should be direct not general evidence.

The COMMISSIONER: No, because Mr. Hays and Mr. Stephens stated they were compelled to employ Americans as they could not get any Canadians.

By Mr. MOWAT to Mr. TURNBULL: Well perhaps it will expedite matters if you will hand me your list. You give me the list on which I find the following names:

H. W. D. Armstrong.
M. H. McLeod.
Mr. Wicksteed,
J. H. Hamilton.
A. Stuart.
R. W. Leonard.
R. W .Hazleworth.
C. B. Smith.
Alex. Maclennan.
Robert Fowler,
D. Williams.
C. Garden.
H. Garden.
H. Carry.
J. Irving.
W. L. Mackenzie.
A. E. Morris.
J. Hesketh.
J. B. Spry.
G. A. Bayne.
A. H. M. Bruce.
E. H. Drury.
E. J. Walsh.

Q. Now with reference to Mr. Gerald Law do you know him? A. I do not know him.

Q. A. D. McRae? A. Not acquainted with him.

Q. A. E. Crosbie? A. No.

Q. Are these gentlemen whose names you have given capable of filling positions on any railway staff? A. Most of them are men who have been employed in charge of parties locating, some as division engineer and of course some have capably filled other positions in the country.

Q. You are saying without particularizing that most of these men are fitted to occupy the position of division engineer? A. Most of them.

Q. Is it or is it not an advantage to have previous knowledge of the topographic and economic conditions of a country in locating a line of railway? A. It is very necessary.

Q. You think that an engineer who has had previous knowledge and experience would start out with advantages not possessed by another one who had not such knowledge? A. They will have to find out what he already knows.

By Mr. CAMERON: Those gentlemen whose names you handed in on a list are all of them at present not occupying any positions? .A I do not know.

Q. Mr. Hesketh? A. He is with the C. P. R.

Q. Mr. McLeod? A. He is with the Canadian Northern.

Q. Mr. Hazleworth? A. I do not know what he is doing?

Q. He is on the Algoma Central, he must have a good position? A. I have only given the names of men who are good engineers.

Q. Mr. A. Stuart for instance? A. I dont know where he is.

Q. Did you ever know that he was offered a position on the Grand Trunk Pacific? A. I do not know.

Q. Mr. C. B. Smith? A. I dont know what he is doing.

Q. Have you heard that he was offered a position on the Grand Trunk Pacific? A. I have not.

Q. And what you state of these men whose names I mention you say of others? A. Some I know what they are doing.

Q. H. Hesketh? A. He is on the C. P. R.

Q. Bayne? A. Is with the Hudson Bay Company.

Q. And Mr. W. D. Armstrong? A. With the C. P. R.

Q. Mr. Bruce? A. I do not know where Mr. Bruce is.

Q. In British Columbia. A. There are two Bruce's I dont know which.

Q. Drury? A. Went to Cuba. I dont know where he is now.

Q. Would all these men have taken positions in connection with the surveys? A. I cannot tell what they would do.

Q. Some of them surely would consider that work? A. I don't know, it depends on the pay.

I suppose at $175 per month? A. Well a great many never got any more.

Q. Some of them have? A. Yes some of them have.

Q. You did not hear Mr. Sullivan's evidence? A. No I have been out of the city.

Q. Mr. Sullivan spoke of some positions they had on the C. P .R., which had been vacant for some months. Two positions of $175 per month during last year were vacant and they were unable to fill them. You were not aware of that statement made by him? A. I saw it in the press.

Q. And at the present time he has still some important position vacant which he is unable to fill. How do you account for that? A. Well I dont know the way I would account for that. If some well-known Canadians were offered the position there would be no difficulty in filling that position. Did he advertise the position?

Q. He said it was not customary. A. It is quite possible that I would ask for it myself if it was advertised, I am not getting that much.

Q. Of course you understand very well Mr. Turnbull that in forming your estimate of these men the estimate of others might be different, others equally experienced with men? A. I think there can be no question about that. As to some of the younger men on that list I may have omitted scores of names equally well qualified of men I do not know.

Q. Are you aware whether these men or any of them would have been available in forming survey parties a year ago during the months of April, May and June, July and September? A. I cannot say, I never saw any advertisement in the papers, that is what would draw out the men who were looking for work. I do not know whether these men are available now.

Q. You did not advertise yourself? A. I was in a position.

Q. When you were in charge? A. I found plenty of men without doing so.

Q. Precisely the same in this case, you did not advertise? A. No.

Q. You did not even go to the registers of unemployed kept by any society? A. I knew plenty of engineers and had plenty of friends.

Q. You did not take any unusual steps? A. No.

Q. Now if you had been called upon suddenly, within a few months, to

fill in 20 or 25 survey parties you would have had no difficulty in obtaining men? A. Well in that case I would have advertised.

Q. Well you would have found the thing difficult even in your list of those available for employment. A. Do you mean last September?

Q. Yes. A. Well I do not know, I paid very little attention at that time, I was working for the Department.

By Mr. MOWAT: Speaking generally and by what has been elicited by my friend do you say that there are sufficient Canadian engineers of experience and ability who are available at these salaries for the survey staff on this railway? A. Now.

Q. And last year. A. That is my impression, there should be enough men in this country to do that work.

Q. Tell me what is the attitude of engineers regarding the applying for positions. We know what lawyers would do, is your profession any different? A. I dont know I never had thought much of it.

Q. What is the attitude of other engineers you have met? A. They will ask for a job just as any other men would. Q. I had an idea that engineers were a proud body of men? A. If I were out of work I would want to know where work was to be had.

By the COMMISSIONER: How long were you on the Canadian Northern? A. About three years.

Q. What was your position? A. I was chief engineer.

Q. For what part? A. From Winnipeg west.

Q. As chief engineer did you employ the assistant engineers? A. Most of them, one or two were employed by Mr. Mackenzie himself.

Q. That is part of the work of chief engineer? A. Yes.

Q. Did you have any difficulty in finding men? A. I did not.

Q. For locating parties? A. Yes.

Q. As well as for construction? A. Yes.

Q. Were they capable men? A. They were new men but did their work all right.

Q. They filled the position to your satisfaction? A. To my satisfaction.

Q. And to the satisfaction of the owners of the road? A. I heard no complaints.

Q. What other position did you hold on the C. P. R.? A. Well I was assistant engineer in Mr. D. A. Stuart's office.

Q. Did you employ men there? A. No, Mr. Stuart did.

Q. You knew who were employed there? A. Yes.

Q. Were they Canadian engineers. A. At the present moment I cannot recollect.

Q. At any time had you any difficulty in obtaining Canadians for the work you were engaged in? A. No.

Q. What about the graduates of the School of Practical Science and the McGill University graduates, do you know of them? A. I do, John Armstrong is one of them.

Q. And is now assistant engineer on this Grand Trunk Pacific? A. Yes, Sir.

Q. He was one of your men? A. Yes.

Q. And had you a sufficient number, all you would wish? A. I had all I wanted.

Q. Did not advertise for them? A. No.

Q. They simply applied and you chose your men? A. Mr. Mackenzie sent a few men up to work on the road.

Q. Did you find the young men the best? A. I cannot say that, I preferred men of some experience.

Q. Are you a member of the Canadian Society of Engineers? A. No.

Q. Were you ever? A. I was practicing before the Canadian Society was started.

By Mr. CAMERON:

Q. Did the Canadian Northern retain the services of these young men or others? A. I think they are still on the road.

Q. A good many have been retained by the road? A. Yes.

Q. Well, Mr. Armstrong has left? A. Yes, Mr. Armstrong has left he is with the C. P. R. now.

Q. A good deal of the available supply, so to speak of engineers has been absorbed by the Canadian Northern and by the C. P. R. They are employing a lot of men? A. Yes.

Q. Especially as both roads are at present adding considerably in construction? A. Yes.

Q. This year I understand that the C. P. R., is building about 1,000 miles? A. I really dont know what they are building.

Q. You are aware of the intended construction of the Grand Trunk Pacific? A. From what I saw in the newspapers, there was a good deal of discussion in Parliament and debates in the House.

Q. Did you see the statement as to parties in the field during last year? A. Oh yes, we have seen that in the papers.

Q. As to the number of parties that were sent out? A. I fancy so, I do not know that I have seen that.

Q. You were in a position to verify that? A. No, for two or three years I have been on different work.

Q. Now then the possibilities of the case did not tempt you to make an application? A. No.

Q. You were satisfied as you were? A. I was fairly satisfied where I was.

Mr. ZEPHIRIN MALHIOT being sworn:

By the COMMISSIONER: What is your name in full? A. Zephirin Malhoit.

By Mr. MOWAT: You are an engineer of some experience? A. Yes.

Q. How long? A. I first started in 1875.

Q. And will you tell the COMMISSIONER what your achievements have been? A. My first work was from Thurso to Aylmer, construction and location on the C. P. R. and then for three years 1875, 1876 and 1877 was engaged on location and construction from Maskinong to Montreal, on old North Shore Railway.

Q. How long after that were you engaged on railway work? A. After that I moved north of Lake Superior, construction of C. P. R. 1879, 1880, 1881 and 1882; came to Winnipeg after that but returned north of Lake Superior, north of Michipicoten, location and construction and after that was on Great Eastern Railway, location and construction for about 50 or 60 miles.

Q. Extending over what time? A. About a year, and my next work I think, was on the Lower Laurentian Railway from Three Rivers, construction and location.

Q. Engineer in charge? A. Always had charge of parties. Next work I think, was on the New York and Boston rapid transit, in charge of a division 75 miles, and my next work was on the Montreal, Brockville and Sault Ste. Marie Railway. I might have stated before that I had charge of the Sault Ste. Marie canal, hydrographic clerk.

Q. For whom? A. For a company but the Town of Ste. Marie became owners and controlled the work.

Q. What year was that? A. About 1891 or 1892.

Q. Is there anything else you want to tell us about your career? A. I can tell you I have always been kept busy.

Q. Yes I should say so from what you told us. A. I have always been occupied on work and am now employed by the Dominion Government as resident engineer in Winnipeg.

Q. What is your jurisdiction and territorial limits? A. I have chiefly charge of public works of the Dominion within the Province of Manitoba.

Q. Bridges? A. Bridges, harbours, canals, docks, steamboats.

Q. Has this during your long practice brought you into contact with the different civil engineers of the Dominion? A. No doubt.

Q. And you say you know them pretty well? A. At one time I knew them all, generally speaking, for the last two or three years have lost track of quite a few.

Q. You were here when I was asking Mr. Turnbull as to the engineers on the list? A. I know a great many of the engineers mentioned in that list.

Q. You know a great many of the engineers mentioned by Mr. Turnbull? A. Yes.

Q. Do you think or do you not think that a staff position in the Grand Trunk Pacific with the remuneration which you have heard of say from $3,000 to $4,000 for a division engineer, or $2,200 to $2,500 for an assistant engineer in charge of a party is tempting? A. I can get Canadian engineers to fill these up.

Mr. CAMERON: I have already objected to this evidence being inadmissible in a court of law.

The COMMISSIONER: I do not think it is. The Grand Trunk Pacific officers stated—"we could not get Canadians to fill these positions." They also raised the question of the competency of certain men to fill certain positions, we must show they are competent.

By Mr. MOWAT to Mr. MALHIOT: In addition to these names mentioned do you know of any engineers who were available during last year or the early part of this year? A. I have lost track of quite a number. I was thinking of Col. Bell, H. B. Bell, an old engineer in British Columbia, R. Maclennan, Toronto, an old engineer known by everybody and I do not think he is doing anything there. Perhaps he does not want to work.

By Mr. CAMERON: You do not know whether they want work or not? A. No, I dont know.

By Mr. MOWAT: Will you let us know whether in your opinion, taking into consideration the rates of remuneration, these positions would tempt engineers in Canada? A. I believe so.

Q. The best engineers. A. Yes.

Q. The best engineers we have? A. Competent engineers.

Q. I suppose your work for the Government requires you to pay attention to hydrographic work to some extent? A. Well it is part of my position.

Q. There is a gentleman here, Mr. Bacon, who was appointed harbour engineer for this work at some $300 per month and was for 7 or 8 months at Port Arthur. Will you give me your opinion, as an engineer of experience, as to the necessity, in view of the Government surveys, of hydrographic work for the railway? A. Well I would not like to express an opinion of that

kind. I always do work of that kind myself, whenever I had charge of a little work of that kind I always did it myself.

Q. You really did not pretend on what the Government had done? A. Oh well once in a while, if the Government had surveys made, I would take their surveys.

Q. Have you seen the Government charts of the north shore of Lake Superior including Port Arthur? A. I have seen quite a number of these charts.

Q. Have you ever found them incorrect? A. Well, I cannot say, I have been steamboating around the north shore of Lake Superior and we always depended on such charts to construct harbours.

Q. Do you know Mr. W. A. Stuart of the Dominion Hydrographic Survey, a graduate of the Military College? A. Yes.

Q. You know him? A. Yes I met him.

Q. He gets a salary of some $1,900 a year? A. I think the same man was at work at Lake Winnipeg some two or three years ago.

By Mr. CAMERON: Do you know whether the C. P. R., or the Canadian Northern accepted the Government soundings as supplied at Port Arthur and Fort William? A. I cannot say as to that.

Q. Do you know whether or not they had some soundings made at these points? A. Perhaps they did, I dont know.

Q. Well they did, but you do not know that they did? A. I took some soundings there myself some years ago for the Lake St. Joseph Railway.

Q. North of Port Arthur? A. North of Port Arthur in Lake Nepigon.

Q. You took some soundings? A. I took some soundings in connection with the railway.

By the COMMISSIONER: Is the taking of soundings part of the education of a civil engineer? A. There is no doubt about that.

Q. So that a civil engineer if he is properly qualified at all is qualified to look after harbour soundings? A. If he is qualified there is no doubt about that.

Q. Have the C. P. R., or the Canadian Northern special engineers for harbour work? A. Not that I know of.

Q. Did you ever hear of one? A. No, Sir.

Q. With reference to the terminals on the coast is it necessary to have a special hydrographic engineer for that purpose? A. Well, I think I would like to consider that question.

Q. Before answering you would want to know what class of work is to be done. The extent of the work to be done. Of course there are among engineers, specialists who make a practice of nothing but hydrographic work and if there was a very important work to be done it would be desirable to have special men? A. Yes I think so.

Q. You would not depend on the soundings of the Royal Engineers? A. I did not say that at all.

Q. With their soundings you would agree? A. If proper soundings and proper plans were sent to me I would perhaps test the accuracy once or twice and if I found them correct I would stand by them.

Q. Would such special engineer be required for inland waters such as Port Arthur? A. Well that question would have to be considered, I would not like to say, I do not think so.

Q. You might happen to come to the conclusion that special men were best? A. Well I am not sure.

Q. You would not go that far? A. No, I would take my own soundings and if a great deal of such work was to be done, it would not take very long to make harbour soundings.

Q. You are doing that yourself? A. For surveys I have to make for harbour works I have been taking my own soundings.

Q. Is there any great difference between tidal waters and inland waters in that respect? A. No, except of course tidal is salt water, creasoted timber is necessary.

Q. The use of different timbers? A. Yes.

By Mr. CAMERON: Do the Government charts show currents in inland waters? A. Practically speaking about these lakes, Lake Manitoba we have no chart at all.

Q. Referring particularly to Lake Superior, what about Lake Superior, do the Government charts show currents in flowing rivers, streams,etc? A. Usually they do.

Q. Do you know as a fact that they do? A. Of course I have not been about Lake Superior for some time, my recollection of the charts when I was on the lakes is that really we had no Canadian chart we used American charts. Surveys have been made since and Canadian charts prepared.

Q. Are you familiar with Canadian charts? A. Well, I have seen them.

Q. Have you worked on the basis of these charts? A. Yes very often.

Q. And you have deemed it advisable always to supplement information given by these by your own observation? A. I always trust myself, I like to make sure first.

ROBERT FOWLER being sworn:

By the COMMISSIONER: What is your name in full? A. Robert Fowler.

By Mr. MOWAT: I was told you were a surveyor in practice for a good many years in Canada? A. Yes.

Q. How long? A. Practically since 1877.

Q. I will not bother you to give your experience. You have been in charge of location and construction work? A. Not of location but construction.

Q. You were more of a construction engineer? A. Yes.

Q. It is that branch you undertook? A. Very largely.

Q. Have you heard what has been said by Mr. Turnbull as to the ability of Canadian engineers for this work? A. Yes.

Q. Do you agree with his list of names or have you names of your own? A. I would add H. T. Donkin's name to the list Mr. Turnbull gave, as qualified to fill any high position.

Q. And you agree with him as to the most of these names? A. Yes, most of them are familiar to me.

Q. You consider, as an engineer familiar with rates of remuneration, that salaries such as mentioned would tempt? A. I should say so.

By the COMMISSIONER: The salaries are $4,000 per annum and all expenses for division engineers, $3,000 for district engineers and $2,100 for assistant engineers and expenses? A. Yes.

By Mr. MOWAT: Generally speaking what is your opinion as to Canadian engineers being capable for these positions on the Grand Trunk Pacific and do you think they would accept? A. It is rather hard to answer whether they would accept or not, but these men would certainly be able to fill the positions, whether they would accept or not I cannot tell.

Q. Providing there is that remuneration, and providing and assuming that positions on this road of a permanent character are they attractive from an engineer's standpoint? A. I think they would be.

Q. On any national railway? A. I think so.

By Mr. CAMERON: But to accept, an engineer would not necessarily break a contract with his company? A. No, I do not think so.

Q. No matter how attractive? A. I dont think so.

Mr. STANLEY ADKINS being sworn:

By the COMMISSIONER: What is your name in full? A. Stanley Adkins.

By Mr. MOWAT: Mr. Adkins I understood that you had some experience in England? A. I have.

Q. For how many years? A. Seven.

Q. Where was your training? A. In England.

Q. When did you come to this country? A. 12 months ago last April.

Q. April, 1903? A. Yes.

Q. Now you came to me this morning and told me that you had been employed on the Grand Trunk Pacific as leveller and that you had been laid off with the intimation that other work would be given to you and that you had not received the other work, and you also told me there had been no complaint made as to the nature of your work and as to your conduct, is this true? A. Yes, Sir.

Q. When were you employed first? A. With the Grand Trunk Pacific?

Q. Yes. A. In the Winnipeg office by Mr. Kyle.

Q. As draughtsman? A. As topographer.

Q. Were you then in the field? A. No, at that time I was working in the C. P. R. engineer's office, I was sent out to Edmonton.

Q. Why did you give up the position in the C. P. R.? A. I preferred field work to office work.

Q. And did you take up with field work. A. Yes, went out to field and on reaching it received a letter from Mr. Kyle offering me a position as leveller.

Q. In whose party? A. Mr. Armstrong's.

Q. Party 15? A. Yes.

Q. Did you go out to the party? A. I went on the 9th December, 1903.

Q. And took up your duties as leveller? A. Yes.

Q. And worked there for how long? A. I think until the 18th or 19th of January, it was the 19th November I went out.

Q. In December? A. No.

Q. Did you get along well with Mr. Armstrong? A. Very well.

Q. Did he approve of your work? A. Yes.

Q. Evidently you were brought into Edmonton? A. Well, I was at Wetaskiwin and got a letter.

Q. You started from Wetaskiwin at once? A. Later on found party at Battle River.

Q. Then how did you come to be laid off, was the party laid off? A. I was told that there was going to be work in Mr. Sullivan's office. That a change had been made and it had been decided not to have a leveller with the party but that I would be taken on again.

Q. They dispensed with a leveller on the party in January? A. Yes.

Q. You then went back to Edmonton? A. Yes.

Q. And finally back to Winnipeg? A. I just stopped two days in Edmonton and returned to Winnipeg.

Q. Did you apply from time to time? A. Yes, applied twice in three weeks?

Q. Did you go down to the office? A. Yes.

Q. Did Mr. Kyle refuse you work? A. I was told there was no vacancy.

Q. Did you know Mr. McNeill out there? A. I never myself saw Mr. McNeill.

Q. Did he have supervision over this party? A. Well he had supervision over the party I think, it appears he was there to remove the party from where it was back to the crossing of the river.

Q. Crossing of the Battle River? A. Yes.

Q. Was he out himself? A. When I went out he had left, he had changed the crossing determined on by Mr. Armstrong.

Q. To what extent? A. He selected a place about 20 miles above on the stream.

Q. Giving his reasons? A. No.

Mr. CAMERON: This cannot be of importance.

Mr. MOWAT: I think so and when the witness gives his answers I think it will be relevant.

Mr. CAMERON: In the meantime the evidence is given, we are not a jury to tell us about this crossing.

Mr. MOWAT: Mr. Adkins saw this crossing and found it no good and sent back word to Mr. Armstrong. You see before that Mr. Armstrong had just started upon his crossing when Mr. McNeill came and changed it to an extent of 20 miles further west and reprimanded Mr. Armstrong.

Mr. CAMERON: This is confidential work between surveyors and their employers.

Mr. MOWAT: It is not so confidential to see if this witness was interfered with.

Mr. MOWAT to Mr. ADKINS: You were there at the time when Mr. McNeill reprimanded Mr. Armstrong, what did he say to him? A. He told him he should have chosen some other place.

Q. Finally what was done? A. Finally after running about spending six weeks at the place chosen by Mr. McNeill we worked on the original crossing of Mr. Armstrong, I was correct.

Mr. MOWAT to the COMMISSIONER: I think I am entitled to ask him from his seven year's experience, what in his opinion was the trouble and his opinion of Mr. McNeill?

The COMMISSIONER: As this man was discharged for incompetency by Mr. McNeill or Mr. Armstrong he has the right to give his answer to that.

By Mr. MOWAT to Mr. ADKINS: What is your opinion, as an engineer with the experience you have told us about, of Mr. McNeill or his judgment? A. Mr. Armstrong was far superior to Mr. McNeill on grades and everything.

Q. In your opinion was Mr. McNeill wrong? A. Certainly.

Q. From the first? A. From the first.

Q. Was that proven by the fact that he went back and took Mr. Armstrong's crossing? A. Yes. I was told that I would be re-employed on the 16 February.

Q. You were told that. So far as you know you were never discharged? A. I was laid off for that time.

Q. Is that new to you then? A. Perfectly new.

Q. That is a surprise? A. Yes.

Q. Here we have a return in Mr. Armstrong's writing on which appears S. J. Adkins, left, marked "incompetent and discharged." You say that is not so? A. That is the first I have heard of it.

Q. Never heard that from Mr. Kyle? A. No.

Q. Was Mr. Kyle in charge of that division until Mr. Van Arsdol arrived? A. Yes.

Mr. ROBERT CHARLES MCPHILLIPS being sworn:

By the COMMISSIONER: What is your name in full? A. Robert Charles McPhillips.

By Mr. MOWAT: You are a civil engineer of some experience? A. Well I am a Dominion and Manitoba land surveyor and a civil engineer.

Q. Your father before you was of the same profession, Col. McPhillips; and you have had experience in the location of railways in your early years? A. No, I have not, I have not had very much experience on railway work at all.

Q. Well, you have been thrown in with surveyors? A. I have done work almost entirely with civic and municipal engineers.

Q. Does your profession bring you in contact with the engineers of this country? A. It has in the past, not so much within the last few years.

Q. Can you give us an answer as to whether there are available Canadian engineers for work on this national railways? A. I would think so, but I do not know enough of them.

Q. Can you say from your experience whether it is advisable that locating engineers and surveyors on railways should have a previous knowledge of the country through which they are going? A. It would be a great help to them.

Q. An engineer with that knowledge would be at a distinct advantage? A. Certainly.

By the COMMISSIONER: How long have you been engaged as surveyor?

A. Since 1881.

Q. And where have you been practicing since? A. Altogether in this country, in Manitoba and the Territories, principally in land areas in Winnipeg.

Q. Do you know any civil engineers personally? A. I knew the most of them, now I know a good many of the names given by Mr. Turnbull.

Q. From your knowledge of them do you think them qualified, those whose names were given, to do the work on this Grand Trunk Pacific, locating the line? A. I think so.

Q. What knowledge have you of their capacities? A. Well some of them I have known for I suppose 10 or 15 years and have been employed on several railways and seem to have done their work well as far as I know.

Q. What positions would these gentlemen be qualified to fill? A. Well I think they would be, some of them, qualified to fill the highest positions and some of them the ordinary positions.

Q. Will you please look at this list and give me the names of those who would be qualified to fill the higher positions? A. (Takes list) Mr. Armstrong would be one.

Q. What position would he be qualified to fill? A. I think he could fill that of chief engineer.

Q. Mr. McLeod and Mr. Stuart, would each of these gentlemen be qualified to fill the position of chief engineer? A. I think so.

Q. Can you give me the names of those who might be qualified as divi-

sion engineers? A. I think Messrs. H. W. D. Armstrong, Bayne, Bruce, Drury and W. L. Mackenzie.

Q. I suppose that Mr. Turnbull has not put his name on that list, what do you say as to his capacity? A I think he could fill it.

Q. You think he is qualified? A. I think so, I think that is about all the names.

Q. Among those other names there are some you know? A. I know Mr. Garden, there are two Gardens here, I think I know both; Mr. Fowler, Mr. Hesketh.

Q. What positions do you think these gentlemen would be qualified to fill? A. The position of assistant or district engineers.

By Mr. CAMERON:—Your knowledge of these gentlemen whose names you have read, Mr. McPhillips, is not a personal acquaintance with them? A. Some of them, yes

Q. Each of them, have you actually been engaged with these gentlemen on construction? A. I was engaged on work where I was brought in contact with them. I have never been engaged on railway work of that sort at all.

Q. You have no knowledge whether these men are or are not available to accept these positions? A. No, sir.

Adjourned to 2.30 p.m.

The Commission resumes at 2.30 p.m.

Mr. ALBERT M. MORGAN, being sworn:—

By THE COMMISSIONER:—What is your name in full? A. Albert Mark Morgan.

By Mr. MOWAT:—You, I understand, have had seven years' experience as draughtsman? A. Yes, sir.

Q. Where did you get your training? A. In London, England.

Q. And is it true that you came out to Canada in the year 1903, in February, and went as draughtsman with the Clergue Companies? A. No, sir, in 1902.

Q. And acted as draughtsman with them for about a year? A. Yes, sir.

Q. Then came to Winnipeg? A. Yes, sir.

Q. Do you remember writing a letter to the Minister of Labor saying you had applied for a position on the Grand Trunk Pacific? A. Yes, sir.

Q. Is that a fact? A. Yes.

Q. When did you apply for employment as draughtsman and to whom? A. I applied in July, 1903, to Mr. Kyle,

Q. Any result? A. No result until September.

Q. Any answer to your letter? A. None until September.

Q. Did he offer you a position? A. Yes, and I was unable to accept it, as I was out on a survey for the C.P.R. at the time.

Q. Under whom? A. Mr. Oscar England.

Q. Under what general superintendent was that? A. Mr. Sullivan.

Q. How long did you remain with the C.P.R.? A. Until this April, and I understand that my position in the C.P.R., was taken by a cousin of the engineer in charge.

Q. From July, date of your application, until September, you heard nothing from the Grand Trunk Pacific people? A. No, sir.

Q. Are you a competent draughtsman? A. Yes.

Q. Has any complaint been made as to the character of your work? A. No, sir.

By THE COMMISSIONER:—How many times did you apply for a position to the Grand Trunk Pacific? A. About three times.

Q. When? A. April and July.

Q. Did you give any references as to ability? A. I stated what I had been doing.

Q. Had you references from the C.P.R. A. No, sir. The first time I applied, I was in the C.P.R. at the time.

Q. Why did you leave at the time? A. Because they offered me an inferior position.

Q. Inferior to the one you had? A. Yes.

Q. Why did you not retain the one you had? A. Because my position was taken, I understand, by the cousin of the engineer in charge.

Q. What position had you, draughtsman? A. Yes, sir.

Q. Any fault found with your work? A. No, sir.

Q. What was the answer given when you applied in April this year? A. He said there was no vacancy at the time, but good draughtsmen were often required, and there might be something later.

Q. An opening later on? A. There might be.

Q. Did you get any letter from Mr. Kyle? A. Yes.

Q. Where is it? A. I have not got it with me.

Q. What does it say, if you have it, produce it? A. I have not got it.

Q. When did you get it? A. About the 1st of April, 1904.

Q. There was no vacancy at the time, he said? A. Yes, sir.

Mr. ALEXANDER G. ALLAN, being sworn:—

By THE COMMISSIONER:—What is your name in full? A. Alexander George Allan.

Q. You were born in England about 39 years ago? A. I was born in Madras, India.

Q. About 39 years ago? A. In 1865.

Q. And from Madras you went to England? A. Yes.

Q. Continued there? A. Yes.

Q. Lived there until you were 19 years of age? A. 19 I believe.

Q. Came to America? A. Yes.

Q. What part? A. I went out to Dakota Territory first.

Q. What did you do there? A. I did not do anything for a few months after going out, after that I worked in the ditching depot.

Q. How long? A. A few months.

Q. Had you a profession at that time? A. Yes, sir.

Q. What was your profession? A. I was educated for an engineer.

Q. Any experience in the old country? A. No, sir.

Q. Then what was your first experience as a civil engineer? A. My first experience was away long back in 1885 or 1886.

Q. Where? A. On some ditching work in Northern Colorado.

Q. That would be about two years after you came to America? A. Yes, sir.

Q. How long did that continue? A. I gravitated up and down rodman, chainman.

Q. On what lines of railway? A. On some railway location on various lines, ditching work mostly.

Q. What was the last work you were engaged on in the States? A. I was connected with the Atcheson, Topeka and Santa Fé Railway.

Q. How long on that? A. Five years.

Q. Under whom? A. Under J. M. Mead and James Dunn, chief engineer.

Q. When did you become naturalized as an American citizen? A. In 1898.

Q. Where at? A. At Coleraine, Colorado, I was chief engineer then for the National Land Irrigation Company.

Q. And was it necessary for you, in order to become chief engineer, that you should become an American citizen? A. No, sir.

Q. It was your own free will to become an American citizen? A. Certainly.

Q. You are still an American citizen? A. Yes, sir.

Q. For how long have you known Mr. J. R. Stephens? A. Mr. Stephens was appointed to the Santa Fé somewhere close to 1st October, 1901, I was transferred from the maintenance of way department to construction.

Q. And you were under him at that time? A. I was transferred from the maintenance of way to construction.

Q. He had charge of construction?, A. Yes, for the Territory of Oklahoma.

Q. How long did you remain under him? A. Until he left Santa Fé in February, 1903.

Q. He left there to come to Canada? A. Yes, sir.

Q. Was he district engineer, or what? A. Engineer in charge of construction, there is no such thing as district or division engineer, I was division engineer.

Q. And he was engineer in charge? A. Yes.

Q. That was similar to chief engineer? A. For the Territory.

Q. Did you not correspond with Mr. Stephens after he left for Canada about your coming on here? A. No, sir, I wrote him one letter, just a personal letter, giving him an idea of the progress of the work, that was left undone there.

Q. The work which you were finishing? A. Yes,

Q. That was an application to come here, was it? A. He has the letter, well it might be construed as such.

Q. Do you remember the date of the letter? A. No, sir, I do not.

Q. About what time was it, Mr. Allan? A. I should judge about March, 1903.

Q. A month after he left you? A. Yes, it was simply a personal, friendly letter.

Q. When did you hear from him in answer to that letter? A. I got a wire a few days afterwards, a week nearly.

Q. To what effect was the wire, have you got it with you? A. No, sir, I do not keep my private—

Q. To what effect was it? A. The fact was he had requested Mr. Dun to let me go to them at $175 a month.

Q. Did he ask you in that to answer him? A. No, sir.

Q. Did you? A. I think that I did in a day or two.

Q. You remember the reply? A. I replied that I would send my resignation in to the engineer in charge, Mr. Hemstreet, in writing.

Q. Did you accept his offer? A. Yes, sir.

Q. Have you not the telegram he sent you making that offer? A. No, sir.

Q. What became of it? A. I did not keep it.

Q. And you wired Mr. Stephens to the effect that you had sent your resignation in? A. Yes, sir.

Q. Is this your letter to Mr. Stephens of the 16th April, 1903, Mr. Allan? A. That is my letter without any doubt, my signature and my letter:

THE COMMISSIONER reads:—

"Newkirk, O.T., April 16th, 1903.

"Mr. J. R. Stephens,
"Chief Engineer, G.T.R.,
"Montreal, Que.

"Dear Sir—

"The copies of letters enclosed explain themselves, as per your wire I interviewed Mr. Hemstreet at Guthrie, and he objected to my leaving; I particularly do not wish to leave Mr. Dunn in any inconvenient position, but there is nothing but cleaning up in the Osage.

"A regular train starts between Newkirk and Kaw next Monday, ballasting has commenced and the masonry in the nation will be done in a week.

"I agreed to stay till May 15th; so please rely on my being with you after that date.

"Kindly let me hear your wishes at your convenience."

"Respectfully, A. G. Allan, Division Engineer."

Q. You enclosed copies of letters you had sent to Mr. Hemstreet and Mr. Dunn. Are these the copies you enclosed? A. Yes, sir.

Q. I need not read them over again, you just explained to Mr. Hemstreet how you wished to be relieved to come to Canada?

Q. Then you telegraphed to Mr. Stephens on the 17th April? A. That was the one I referred to that I did not keep a copy of.

Q. Do you think that is intended for your signature? A. That is my wire.

Q. Reads:

"Newkirk, Okla., 17 Apl.

"To J. R. Stephens,
"My resignation sent Hemstreet yesterday, have written you.
A. G. Allan."

Q. Then did you receive a telegram from Mr. Stephens in which was stated:

"Montreal, May 4th, 1903.

"A. G. Allan,
"Division Engineer,
"Newkirk, Okla.
"Mr. Dunn requests that you remain until June first. This is all right.
"J. R. Stephens."

Q. Did you know of your own knowledge what efforts Mr. Stephens was making with Mr. Dunn to get you relieved? A. No, sir.

Q. Mr. Stephens testified as to that? A. Yes.

Q. Then you remember a telegram from Mr. Stephens to you dated 27th May asking when you would arrive here? This is the telegram:

"Montreal, May 27th, 1903.

"A. G. Allan,
"Division Engineer,
"Eastern Oklahoma Ry.,
"Newkirk, Okla.
"When will you arrive here?"
"J. R. Stephens."

A. I do not remember that of the 27th May, but I think it is so.

Q. And can you tell me when this telegram without date was sent you:

"A. G. Allan,
"Newkirk, Oklahoma, U.S.A.
"Please answer definitely if possible, but do not hurry Mr. Dunn."
"J. R. Stephens."

A. I remember that?

Q. Do you remember the date of it? A. About the first week in May, I would not want to swear to that.

Q. Now you wrote Mr. Stephens on the 8th May:

"Newkirk, O.T., May 8, 1903.

"Mr. J. R. Stephens,
"Asst. Chf. Engineer,
"Montreal, Canada.

"Dear Sir:—

"Have just come in from Osage country and got your wire, for which thanks. I will stay here until June 1st as requested by Mr. Dunn. If I do this the trip pass you sent me, Chicago to Montreal, will have expired, so I return it and would be obliged for another one good till about June 10th.

"Respectfully, "A. G. Allan."

Q. That is your letter to him? A. Yes, that is my letter.

Q. What trip pass do you refer to there? A. The trip pass which had been sent to me.

Q. For transportation? A. On the Grand Trunk from Chicago to Montreal.

Q. Sent you by Mr. Stephens? A. Yes.

Q. You returned that to him? A. Yes, I received one that extended the date.

Q. How much were you getting? A. $175 a month and expenses.

Q. And what was offered you? A. $175 without expenses.

Q. Without expenses? A. $175 and expenses when with party, no expenses outside.

Q. Has that been increased? A. Only since we have been removed to Winnipeg.

Q. Since you came to Winnipeg? A. Yes.

Q. When was that? A. 1st December, 1903.

Q. So that from June to December, 1903, your salary was $175 and expenses when out with a party? A. Yes, sir.

Q. And from December to present time? A. $200 a month and no expenses.

Q. What do you mean by no expenses? A. None whatever.

Q. Don't you get your expenses when out with a party? A. I have only been out with a party once.

Q. And you got your expenses? A. Yes.

Q. How long? A. Some two or three weeks only.

Q. Now in consequence of that correspondence you arrived in Canada? A. On the 4th of June, 1903.

Q. Sure? A. I am certain from the 4th to the 6th.

Q. The 6th is better? A. I really think it is the 4th June, but I was coming from the east from the 4th to the 6th.

Q. Well, Mr. Kyle writes to Mr. Stephens on your behalf on the 24th June, 1903, I suppose the facts would be in his memory much clearer then than in yours to-day? A. On the 24th?

Q. He wrote a letter on the 24th June with reference to your arrival, so the facts would be fresher in his memory, this is the letter:—

"Winnipeg, June 24th, 1903.

"Mr. J. R. Stephens,
"Asst. Chief Engineer,
"Montreal, Que.

"Dear Sir,—

"Following out your instructions a few days ago would give Mr. A. G.

Allan time from the date he arrived at Rat Portage, which was the 11th of June. I think he should have time at least from the date he arrived in Montreal, which was the 6th. Mr. Allan thinks he should have time from the date of leaving Oklahoma, which was May 31st. In any case I think it would be advisable to give Mr. Allan a full month as he was delayed on the road on account of flood, etc.

"I would like to get definite instructions before making out the roll, so it will not have to be changed.

"Yours truly, "G. A. Kyle, Division Engineer."

Q. You remember that correspondence with reference to you? A. No, sir, that is not to me.

Q. But you remember receiving the pay roll, or your salary? A. It was paid by cheque.

Q. Now where were you first employed after arriving in Montreal? A. I arrived in Rat Portage.

Q. You did not come as far as Winnipeg, you were instructed in Montreal to take charge, to go to Rat Portage and to meet Mr. Kyle there? A. Yes.

Q. Who gave you those instructions? A. Mr. Stephens' chief clerk, Mr. Mullen.

Q. And you arrived at Rat Portage about the 11th June meeting Mr. Kyle there? A Yes, sir.

Q. What party did he wish you to take charge of? A. No. 9.

Q. Who formed that party at the time? A. At the time of leaving I had only four Indians and eight whites.

Q. Had you a transitman? A. No, sir.

Q. No draughtsman? A. No.

Q. No staff whatever? A. No, sir.

Q. A chief and men without any experience? A. That's right.

Q. How long did you remain in that condition without experienced men? A. About two weeks I should judge.

Q. That would bring you up to about the 25th June or 1st of July? A. Somewhere about the 25th June.

Q. Did you complain about the men? A. I did to Mr. Kyle.

Q. Did Mr. Kyle write you in reference to them? A. I think he did.

Q. Is this the original letter:—

"Winnipeg, June 20th, 1903.

"Mr. A. G. Allan,

"Asst. Engineer, Rat Portage,

"Dear Sir,—Referring to the matter of keeping the men who were sent out from Montreal, I wish you would please arrange to keep all the rest of the men who are with you, as I have seen Mr. Stephens and it appears as though they were rather forced on him by the officials of the company on account of political reasons. To illustrate this fact it will be necessary for me to keep the three boys that you sent in to Rat Portage for some little time, which of course will be quite expensive. I think it would be preferable to delay the work rather than to send any more men in at present for the above reasons. You will be able to get your work done as soon as the balance of party in any event. After you have completed half of your hundred miles the rest of it is simply a straight line of which we know the details, and it is consequently of very little importance.

"Referring to the matter of canoes, it seems to me that you will have more canoes than will be necessary to transport the supplies. I think that

you had better send in all but about four or five canoes to Rat Portage the first opportunity.

"Yours truly, "G. A. Kyle, Division Engineer.

Q. Who were the men that you were complaining about, Mr. Allan? A. There were three or four of them who were employed had the idea that they were going to have a summer picnic.

Q. Who were the men? A. There was a man who refused to go to work, a man by the name of Davis.

Q. Do you remember his Christian name? A. No, sir.

Q. Well, Davis and who else? A. I don't remember all their names, but one gave in his name as Campbell.

Q. They refused to work for you? A. They stated that they were not used to work. I asked them why they had come out there.

Q. What was the work you had arranged for them? A. Chainmen and axemen.

Q. Were you your own transitman and leveller? A. Yes, sir, I ran the transit and took angels with the transit.

Q. Had you no draughtsman? A. No, sir.

Q. None of those had any experience in engineering? A. No, sir,

Q. Not one of them? A. Not one.

Q. What wages were you paying them? A. I think $35 or $40 a month and expenses. More likely $40.

Q. Chainmen $40 and rodmen? A. Rodmen got $50.

Q. How long did you have these men before you took them back and landed them on Mr. Kyle? A. About four or five days.

Q. When you got rid of them? A. Yes.

Q. Now, who did you get in their places? A. I got three Indians from Mr. Anderson, or rather four Indians. He was the manager of the Hudson Bay post at White Dog and I had some Indians.

Q. Who was your first transitman? A. I telegraphed for Mr. H. S. Hancock just before leaving for Rat Portage, when I found out I had no men experienced in handling the party.

Q. Have you got a copy of that telegram? A. No, sir.

Q. What were the contents of it? A. "Offer position transitman $100, bring two boys," or words to that effect.

Q. That was the substance of the telegram? A. Yes.

Q. Do you remember when you sent that telegram? A. I sent that just before leaving Montreal.

Q. Before you came West? A. Yes.

Q. Then you knew at that time that your staff was not complete? A. Yes, sir.

Q. Who informed you of that fact? A. Mr. Mellen.

Q. And you immediately telegraphed, that would be between 6th and 11th June, for Mr. Hancock and two boys? A. Yes, sir.

Q. And when did Mr. Hancock arrive? A. He came up to me on the Winnipeg River about the third week in July.

Q. Had he answered your telegram? A. No, I got no answer.

Q. The third week in July? A. The third week in June.

Q. Then he brought with him Meador and Parsons? A. Yes, sir.

Q. What position did they occupy on the Santa Fé when you left? A. Hancock was my transitman and assistant on construction, Meador was our rodman and second instrument man with $60 a month, and Parsons was used for shingling.

Q. How much were they getting per month? A. Hancock got $90, Meador got $60 and Parsons got $45.

Q. With expenses? A. Yes.

Q. Then Mr. Hancock received the position of transitman with $100 and expenses? A. Yes.

Q. He was a Cornishman? A. An Englishman.

Q. How long did he remain in the party? A He remained with me until I left, and then with Mr. Heaman until this spring, he had to go to England on account of sickness.

Q. His own ailment? A. No, his sister.

Q. Is his place still open for him? A. I believe Mr. Meador is temporary transitman.

Q. Keeping the place for Mr. Hancock? A. Yes, sir.

Q. Had he transportation to Canada? A. He had a pass on the Santa Fé.

Q. That would not bring him here? A. That would bring him to Chicago.

Q. Then you think he got transportation from Chicago to Winnipeg or Rat Portage? A. Transportation from Chicago to North Bay, I do not know that he had any other.

Q. So far as you know you did not provide transportation for him at all? A. No.

Q. Nor for the other two boys? A. No, sir.

Q. Do you know whether transportation was provided for any of them? A. I think the Grand Trunk provided transportation from Chicago and the west for the three of them.

Q. How would that be done? A. It would be sent from the general office in Montreal.

Q. You had no correspondence with these men, did you? A. I told Mellen that I had a few more men to run instruments.

Q. And did you arrange with him for the transportation of the three men? A. I asked him certainly.

Q. And you telegraphed them that transportation would be provided for them? A. No, I don't think I did.

Q. How did it come that they would get transportation if they knew nothing about it? A. Because they would go to the general office in Chicago and I believe that was the way transportation was sent.

Q. By Mr. Mellen? A. Yes.

Q. And from North Bay west I suppose you provided for their tickets and their travelling expenses? A. No, I knew that no expenses were allowed us until we reached the party.

Q. They had no transportation from North Bay? A. I don't think they had.

Q. Then who has arranged for Mr. Hancock's place being kept open until he returns? A. No, one. It was because Mr. Hancock had to go to England and Mr. Heaman said he would fill it temporarily.

Q. That is occasionally done where assistant engineers can arrange it? A. The assistant engineer, of course, has the running of his own party and has the right to make arrangements with his men.

Q. How long was Hancock in the United States? A. Hancock came to me in March, 1902.

Q. He was there a couple of years under you? A. Yes.

Q. How long did you remain with party No. 9? A. I think I was transferred to the Winnipeg office on the 1st December.

Q. Then what position did you occupy since the 1st December, 1903. A. Office engineer.

Q. As office engineer what are your duties? A. Estimating for provisions, supplies, buying all the supplies.

Q. Supplies for parties under Mr. Kyle's jurisdiction? A. Under Mr. Kyle's instructions.

Q. Has an office engineer similar duties to a district engineer? A. No, sir, the district engineer is travelling continuously as a rule.

Q. Does an office engineer travel? A. Yes, if necessary.

Q. Not so frequently as a district engineer? A. No, sir.

Q. Who has the employment of the men for the parties? A. Mr. Kyle, sometimes I have had a number of places filled.

Q. You had that right, you were authorized to do so when Mr. Kyle was not there? A. Yes.

Q. Even when Mr. Kyle was there you could employ men? A. Yes.

Q. What men have you employed? A. I have employed a good many, rodmen, chainmen, etc., for the various parties.

Q. Would you not undertake to employ an assistant engineer for a party? A. That is beyond the duties of an office engineer.

Q. But for rodmen, chainmen, or even for topographers, would you go that far and do it? A. Yes, I would if I was instructed to appoint them.

Q. Would you appoint a leveller, draughtsman or a transitman? A. Yes, I believe I would if I was instructed, anything below the grade of assistant engineer.

Q. Did you as a matter of fact employ any of these, I mean below the grade of assistant engineer? A. Yes, I believe I have, quite a good many.

Q. Have you employed many levellers? A. Yes.

Q. Who was in your office when you came here on the 1st of December last? A. Mr. Mason, head draughtsman; Mr. Goddard, second draughtsman; Mr. O'Reilly and Mr. Eggo, clerks, and Mr. McDonald, chief clerk, and Miss Johnston, stenographer.

Q. Mr. Goodman was not there when you came? A. No, sir.

Q. Do you know Mr. Goodman? A. No, sir.

Q. He had left before you came? A. Yes.

Q. Mr. Mason had taken his place? A. I do not know even that much.

Q. Mr. McDonald was chief clerk, was he? A. Yes, sir.

Q. Is he there still? A. No, sir.

Q. What has become of him? A. He was unsatisfactory and dishonest and was discharged by Mr. Kyle about the 15th December.

Q. Where did he come from? A. He came from Minnesota or somewhere like that.

Q. Did the company lose anything by him? A. I do not think they did, I do not know.

Q. Did you ever hear from Mr. Kyle? A. No, sir.

Q. Of $600? A. It was rumored, but I have never been told.

Q. Did not Mr. Kyle say that the company was about $600 short through Mr. McDonald's defalcations? A. No, sir, but we knew he ran bills. The books would show I suppose what his defalcations amounted to. I do not think they could possibly amount to one third of that.

Q. Do you know whether he went back whence he came? A. I think he went South.

Q. All these men were under you. You were chief of the office staff and all these other men were under you at that time. Had they any authority to employ men to go out on different parties? A. No, sir, but I have asked Mr. Goddard several times to find me some young fellows.

Q. Do you remember his reporting to you he had asked Mr. Girdlestone to go out? A. Yes, sir, he told me that he had asked Mr. Girdle-

stone to come down to the office and see me and when he came down I sent him out to party No.8.

Q. You do not know whether he is there still? A. He is with that party yet.

Q. Did you know that subsequently to that his brother, Frank Girdlestone, also applied? A. Not to me.

Q. He said he applied to Mr. Goddard, would Mr. Goddard have authority to employ him? A. Mr. Goddard would have no authority to employ him without authority from Mr. Kyle or myself.

Q. If Mr. Goddard reported the fact of his employing him and you agreed to that would that be sufficient? A. I would not agree to anything until I had instructions to obtain a man.

Q. I suppose not, but assuming that there was a vacancy and you wanted a man, would Mr. Goddard have general authority from you to fill the place as soon as he got a man? A. He had no general authority, he helped me out in obtaining young fellows who wanted to go out.

Q. Do you remember him speaking to you about Frank Girdlestone, a brother of the young man who was sent out? A. No, I do not. I remember Mr. Girdlestone being sent out.

Q. Not his brother, this subsequent one? A. No.

Q. Do you remember Mr. Mayo? A. Yes, sir.

Q. Do you remember that Mr. Girdlestone was promised the position which was filled by appointing Mayo? A. No, sir, I do not remember.

Q. Don't you remember that there was a great disappintment? A. There must be some mistake there.

Q. On whose part? A. That I don't know, you are giving me some news now.

Q. Well, it was news to Girdlestone when he was told he could not go out, his place being filled between Saturday and Monday? A. I remember distinctly engaging one Girdlestone.

Q. There is no doubt about that? A. I certainly do not remember anything about the second Girdlestone, the fault may be mine, but I do not remember.

Q. Why did you employ Mr. Mayo then? A. Mr. Kyle possibly wired me.

Q. Did he know that Mr. Girdlestone had been spoken of in connection with a position before he wired you? A. No, he certainly had not.

Q. You did not know? A. I certainly did not.

Q. You go that far? A. I go that far that I do not know. I would have some recollection of same.

Q. Do you remember any conversation with Mr. Goddard about Mr. Girdlestone's disappointment because he could not go out? A. No, I do not. I am afraid I have been thinking of the one Girdlestone.

Q. You are quite right about one of the Girdlestone's, but there are two Girdlestone's, we had one here while the other was out at camp, the one here was the disappointed man. Do you not remember Mr. Goddard speaking to you about Girdlestone's disappointment? A. No, sir, I really don't.

Q. Nor about the disagreeable position you placed Goddard in who had promised this young man to go out. He felt it very much, as you would yourself? A. I remember Mr. Goddard speaking about young Girdlestone, but I have been under the impression it was the one sent out.

Q. Where did you send that one? A. To party No. 8.

Q. This one was this spring, April or May, just at the time Mayo was appointed, two days between, Girdlestone was going out on Monday but Mayo came in and went out? A. Evidently there was something wrong.

Q. Well then you say that Mr. Goddard had no authority whatever to

appoint Mr. Girdlestone to take such a position as that? A. I do not remember now, but I suppose that he must have had some verbal authority from me otherwise he would not have done it.

Q. And you had the authority to give? A. Yes, for a chainman.

Q. Did you know that Mr. Kyle had telegraphed to Mr. Mayo to come before he did? A. I believe I did.

Q. And now you will not say that Mr. Goddard had spoken or had not spoken to you before Mr. Mayo came? A. I do not remember anything about the circumstances of the second Girdlestone, I am sorry I do not.

Q. When was Mr. Stephens up here during the winter, do you remember the times? A. No, sir, I don't remember.

Q. Was he here about five weeks ago? A. Yes.

Q. How often does he come up here? A. Averages perhaps once a month.

Q. Once a month for how long at a time? A. One time during the winter he did not come for two months.

Q. And how long did he stay at each time? A. I should judge from three to ten days.

Q. Does he make this city a kind of headquarters? A. Yes in a way.

Q. Do you remember Mr. Kerle, civil engineer? A. I saw him once.

Q. At the office? A. At the office.

Q. Was that the time he was in the intoxicated condition referred to by Mr. Kyle? A. No, sir, I do not think so although he was somewhat under the influence of liquor at certain times.

Q. Do you remember seeing Mr. Stephens under the influence of liquor? A. No, sir.

Q. Never? A. I never have.

Q. In all your experience? A. In all my experience.

Q. In Winnipeg? A. No.

Q. Never saw him under the influence of liquor? A. No.

Q. In the office? A. No.

Q. On the street? A. No.

Q. In the hotel? A. I have never been in a hotel but once.

Q. You have never seen Mr. Stephens under the influence of liquor? A. I have never seen Mr. Stephens under the influence of liquor that I know of.

Q. Why do you limit, that you know of. You know when a man is under the influence of liquor? A. Yes, sir, I do.

Q. And you say you have never seen him? A. Never saw him under the influence of liquor.

Q. Did you ever see him drink liquor? A. Yes, sir, I have had a drink with him.

Q. I thought you had not been in a hotel? A. Only four or five times.

Q. What hotel was this in? A. In the Commercial, in the Winnipeg, and in the Mariaggi.

Q. Was Mr. Stephens with you during these times? A. I was with Mr. Stephens.

Q. And during these times had you a drink with him? A. About four or five times.

Q. And you say that you have even in this case not seen him under its influence? A. No, sir.

Q. I suppose you have not been under the influence? A. I do not take very much only once in a while, when I want a drink I go and get it.

Q. I do not know that there is any objection against that but I am told that Mr. Stephens has been under the influence of liquor in Winnipeg. If any person states that are you likely to be able to say that it is not true?

Mr. CAMERON: I object.

THE COMMISSIONER: I am not asking what Mr. Stephens did here as an individual, we have nothing to do with that, but only since he came here as assistant chief engineer that is all.

Mr. ALLAN: I have never seen him under the influence of liquor.

Q. That you are positive of? A. Yes.

Q. Mr. Mason is chief draughtsman? A. Yes.

Q. You told me he was here before you came? A. Yes.

Q. Who has charge of party No. 9? A. Mr. Heaman.

Q. And Mr. Kelliher's party was? A. No. 10.

Q. When had you charge of that? A. I went out about the 25th of May, this was while Kelliher was gone.

Q. These men were there when you went there? A. Yes, sir.

Mr. CHARLES A. MILLICAN, being sworn:

By THE COMMISSIONER: What is your name in full? A. Charles Arthur Millican.

By Mr. MOWAT: Mr. Millican I am told you are a Dominion Land Surveyor? A. No, a civil engineer.

Q. A civil engineer and surveyor? A. No, a civil engineer.

Q. Of some long experience? A. Yes, 22 years in this country.

Q. In Canada? A. Yes, in Canada.

Q. Have you been on railway work? A. Yes, I have been on railway work in Manitoba.

Q. Location and construction? A. Location and construction.

Q. As such have you come in contact with the engineers who work on railways? A. Yes.

Q. Do you say that you have an intimate knowledge of the engineers in Canada? A. Well, I have an intimate knowledge, as much as a man will get in the profession after 12 or 15 years engineering.

Q. Now in the course of this enquiry, as I dare say you know, evidence has been adduced that it is impossible to get Canadian engineers who have had experience, for positions on the Grand Trunk Pacific? A. Was it on the ground that they were all engaged?

Q. Well on the ground that there were none available. Keeping in mind that the division engineers on the Grand Trunk Pacific are paid $4,000; the harbour engineer, $3,600; district engineers, $3,000; locating engineers in charge of parties, $2,100, would that remuneration be considered a prize in your profession in Canada? A. Well, these prices would induce these men to take the positions for engineers as a rule in my time, on railway work, the chief engineer would receive $150 to $200 a month, the locating engineer and draughtsmen would receive $100 to $125, then down the different grades.

Q. Could you submit the names of those you know in Canada capable, on account of their achievements, of taking the positions of division engineer, assistant, district engineer or even that of chief engineer? A. I have thought of several names of engineers I have come across who—I have here a list of 12 or 15 each one of whom, I know, would be capable of filling any of the positions, except chief engineer, from division engineer down in this western country.

Q. Kindly let me see it or if you wish to read it yourself? A. (Reads) Mr. Turnbull, two, Turnbulls John and Thomas, Mr. C. H. Doucet, Mr. A. J. Gerrard, Mr. G. A. Bayne, Mr. John Woodman, Mr. James Hesketh, Mr. H. F. Ferris, Mr. C. Garden, Mr. H. D. Lumsden.

Q. He is pretty well at the top? A. Pretty well.

—Frank Moberley, he is the only man I lost sight of, I know Frank Moberley, F. A. Wood, John Armstrong, T. H. Kerby, these are men I have

come in contact with and know more about them, and I think they would be qualified to take any of the positions you have mentioned.

Q. Now I will ask you another question, because it has come up before: Are you familiar with the difference in the system of surveys in the United States and Canada? A. Well I am not brought personally in contact with the American system of surveys.

Q. But have you any recent knowledge? A. I know from contact with the Canadian system and what I have read of the American system.

Q. From books on which you can rely? A. Yes and information upon which I can rely.

Q. What is the chief distinction between the two systems? A. The chief distinction, I think, is that their system is just the reverse of ours. We commence our townships in the south-east and they begin in the north-east or north-west, they begin at the north end instead of the south end. We make provisions for road allowances in addition between sections. In our system there is a road allowance for every section. In the American sections road allowances are taken off, if a man takes 160 acres there is a deficiency of so many acres for roads.

Q. Thus your mound or stake would be in the middle of the road? A. It is in the centre of the cross road in all cases.

Q. Would a man familiar with the United States system have to be pretty well on his guard here? A. Well I should say so. If I went to the other side I would have to be very careful that I did not forget the fact about the road allowance, that I brought down the road allowance.

Q. And that you complied with all the conditions of the survey? A. Yes.

Q. What is your opinion as to the advantage which an engineer accustomed to topographical conditions in Canada and the surveys has over a foreigner, I don't mean a stranger? A. Well he has a great advantage. I do not know that I could here explain it than instance myself. Thus for the 10 years just last preceding I have been a land surveyor in Manitoba and I could take a map of Manitoba now and sit down and discuss with any engineer and give him the general topography of the country and get a line where a stranger would have to go and get the information that I am possessed of on the spot.

By Mr. CAMERON: You do not know that these men whose names you have given were available, that they could have abandoned their contracts? A. I do not know. I do not think many of them were under contracts. In my practice there seems to be no particular contract, parties are engaged by the month or day, at the end of month can let you go. This rule stands also in railway circles except with the office staff, the others are simply engaged by the month and engagement may terminate any moment.

Q. Some of these gentlemen are engaged on permanent work? A. One or two only Mr. Ferris is at present with the Canadian Northwestern as supervising engineer and Mr. Hesketh is on the C.P.R.

Q. And Mr. Woods? A. I don't know where he is just now.

Mr. EGGO, recalled:

By THE COMMISSIONER: Have you the statement of the applications made to the office here by engineers, and others? A. I have made a statement showing that the following have made applications:

Axemen	47	
Cooks	26	2 engaged
Chainmen	41	2 engaged
Draftsmen	17	1 engaged
Assistant engineers	6	

Three of these were Americans and three Canadians.

Levellers	18	3 engaged
Rodmen	18	2 engaged
Topographers	7	
Transitmen	18	

Q. Can you give me the nationality of these applicants? A. Well, presumably they are all Canadians, but this I don't know, that is as far as the book shows.

Q. Does not the book show? A. Only in the case of assistant engineers.

Q. There are three of them Americans and three Canadians? A. Yes.

Q. And all the others are, you say, Canadians? A. They give their address from some of the towns in Manitoba or the Northwest Territories.

Q. There are some special men here, do you give any account of them? A. Who are they?

Q. J. T. McGregor? A. He is out with party No. 7, east. Is not on the Winnipeg list, had a Hudson Bay post.

Q. Where is he from? A. I think he is a Scotchman.

Q. Now Stanley J. Mayo is put on, what is that writing you have added to his name? A. "To be kept in mind and put on as rodman or chainman."

Q. When was that entered? A. I cannot tell you when it was entered.

Q. Whose entry is it? A. Mr. Allan's.

Q. Whose entry is Edgar D. McGuire? A. Mr. Allan's.

Mr. ALLAN, recalled:

By THE COMMISSIONER: Mr. Allan will you please look at this entry. This is your entry of Edgar D. McGuire as an experienced field draughtsman, being with the C.P.R., did you have any experience of his ability at all? A. No, sir.

Q. Have you recommendations? A. No, sir.

Q. This is merely his statement to you? A. Yes.

Q. Stanley J. Mayo, that is your writing too? A. Yes, sir.

Q. "To keep in mind and put on as rodman or chainman." Do you remember when this entry was made? A. No, sir.

Q. How did you come to put him on as a special case? A. I do not remember why?

Q. Nearly all these classes are in your handwriting Mr. Allan, are they? A. Yes.

Q. The greater number is your writing? A. Yes.

Q. Now the engineers, with the exception of the last named are in your writing too? A. Yes.

Q. The first one there seems to be a good man, he brought a reference? A. He was here personally but that came from St. Paul. A. That was the address you put there.

Q. The next one applied to Mr. McLean of the Hudson Bay Company? A. Yes.

Q. But you do not know why you entered Mr. Mayo's as a special case to be kept in mind? A. No I don't think I do.

Q. Under whose direction did you enter that? A. Mr. Kyle's.

Q. Then McGregor, to begin with, seemed a good man? A. McGregor got a position.

Q. He had been in the employ of the company before? A. Yes.

Q. Alexander Mathewson, H. B. manager, Fort William? A. He is with a party.

Q. T. G. Howe? A. He is with party No. 10.

Q. Why did you put him as a special case? A. That is not my writing.

Mr. EGGO, recalled:

By THE COMMISSIONER: You have also a list of other applications? A. I have got it there with these.

Q. These are personal applications? A. Yes.

Q. I find there were 25 applications from Americans as transitmen, none of which were engaged; 27 applications from Canadians, 5 of which were engaged; one was offered a position and would not take it.

Q. Do you remember who that was? A. I think it was C. H. Morse.

Q. Do you know why he did not take the position? A. I don't know, he was offered and would not take it.

Q. Do you know when he was offered it? A. Not now, I don't know, August or September I think.

Q. Can you get me the letter that offered it? A. I can get a copy of it.

Q. Now here is a letter dated the 14th September, 1904:

"Winnipeg, September 14th, 1903.

"Mr. C. H. Morse,

"Care of Canadian Northern Railway,

"Thunder Hill, N.W.T.,

"Dear Sir,—I beg to acknowledge receipt of your favor of the 21st ultimo. I will keep your name in mind and if anything favorable turns up will advise you later.

"Yours truly, "G. A. KYLE, Division Engineer."

A. It was previous to that.

Q. Previous to September, 1903? A. Yes.

Q. I would like to get that letter.

Q. How did you come to write him on the 14th September stating that you had nothing for him? A. That might very easily occur.

Q. Do you know how it did occur? A. I do not know how it did occur, nor anything about it and we would answer in the ordinary way.

Q. On the 3rd December, 1903, he writes:

"Niagara Falls South, Ont., Dec. 3rd, 1903.

"G. A. Kyle, Esq.,

"My Dear Sir,—I write you a line to-day to say I am ready to leave here on short notice when you want me, as you remarked to me when leaving Winnipeg you would require a transitman shortly. Hoping you will give me first chance.

"I remain, Yours truly, "C. H. MORSE."

"Ans 12-07-03 G.A.K."

Q. Do you remember that? A. No I do not remember that.

Q. Whose initials are these? A. Mr. Kyle's.

Q. This is the answer there mentioned:

"Winnipeg, 8th December, 1903.

"Mr. C. H. Morse,

"Culp Street,

"Niagara Falls, Ont.

"Dear Sir,—Yours of 3rd instant to hand and in reply I beg to say that at present there is nothing in the way of transit work that I could offer you as the parties are all filled up and we will not be sending out any more men until spring. I will place your name on file and keep you in mind when the year opens up. "Yours truly, "G. A. KYLE, Division Engineer.

Q. That is Mr. Kyle's signature? A. Yes, sir.

Q. That letter was also sent answering this one? A. Presumably. I should say that Mr. Kyle had forgotten all about Mr. Morse at the time. However, he was offered a position.

Q. Have you anything to indicate that? A. That letter.
Q. Where is it? A. Down at the office.
Q. I would like to have it, will you produce it? A. Yes.
Q. Yet Morse has not been appointed? A. Not in this division.
Q. Now transitmen, 25 Americans, none engaged; 22 Canadians of which five were engaged? A. And Mr. Morse who would not accept.
Q. Who were the five engaged? A. Well I did not take the names down, I did not know you wanted them.
Q. Will you kindly have the names put down? A. I will.
Q. Engineers? A. All I can find in our books are four applications from Canadians, one of whom has had all his experience in the United States; one was offered $150 a month and evidently did not come; two were engaged, James Hislop and W. E. Mann. There were 35 applications from Americans, none of them were engaged.
Q. Is that all? A. I think so.
Q. What about J. L. Walsh, is he one of the applicants? A. I have not got the names.
Q. How many names have you there? A. I have only got two names, James Hislop and W. E. Mann.
Q. There are 62 applicants? A. Yes.
Q. How many Canadians? A. Only four.
Q. I see a letter here from Mr. Kyle to Mr. J. L. Walsh:

"Winnipeg, October 3rd, 1903.

"Mr. J. L. Walsh,
"Strathcona Chambers,
"Ottawa, Ont.,

"Dear Sir,—I have your application on file as locating engineer. Will you accept a position of $150 per month, and expenses after you arrive in Win-Winnipeg. Please answer this by wire if you will consider the offer."

"Yours truly, "G. A. KYLE, Division Engineer."

A. That is the man who turned us down.
Q. How did he turn you down? A. He wrote back and stated that he could not take the position that was offered him.
Q. Have you that letter? A. Yes, sir.
Q. Please make a memo to produce it.
Q. Now then on that same date you wrote to Mr. B. D. McConnell, Sherbourne street, Toronto, as follows:

"Mr. B. D. McConnell, "Winnipeg, October 3rd, 1903.
"Care of Mr. A. F. McCallum,
"528 Sherbourne Street,
"Toronto, Ont.

"Dear Sir,—I have your application on file as locating engineer. Will you accept a position of $150 per month, and expenses after arriving in Winnipeg. Please answer this by wire if you will consider the offer.

"Yours truly, "G. A. KYLE, Division Engineer."

A. I do not remember that name.
Q. You have got that in your list. A. No.
Q. Then on the same date you wrote to Mr. Usborne, Hamilton:

"Winnipeg, October 3rd, 1903.

"W. Usborne, Esq.,
"193 Herkimer Street,
"Hamilton, Ont.

"Dear Sir,—I have your application on file as locating engineer. Will you accept a position of $150 per month and expenses after you arrive in Winnipeg. Please answer by wire if you will consider the offer.

"Yours truly, "G. A. KYLE, Division Engineer."

. Have you got an answer to that? A. I have not.

Q. Then Mr. C. F. K. Diblee of Woodstock, N.B., do you remember him? A. No I do not remember his.

Q. On the 16th October, 1903, he was written to as follows:

"Winnipeg, October 16th, 1903.

"C. F. K. Diblee, Esp.,
Woodstock, N.B.,

"Dear Sir:—

"Answering yours of the 12th instant applying for a position with charge of locating party I beg to state that if you can give me satisfactory references as to your experience and ability to take charge of a locating party I might be able to place you in a position just east of Winnipeg for the winter. Hoping to hear from you as soon as possible ,

"I am, Yours truly,
G. A. KYLE, Division engineer.

Q. That is Mr. Kyle's signature is it? A. Yes.

Q. This is Mr. Diblee's answer of the 21st October, 1904:

"P.O. Box 67 Berlin, N.H., Oct. 21st, 1903.

"G. A. Kyle, Esq.,
Winnipeg, Man.,

"Dear Sir,—Yours of 16th inst. received to-day having been forwarded here from Woodstock, N.B.

"In answer would refer you to R. B. Straton, Esq., Chief Engineer of the Rumford Falls and Rangeley Lakes Railway. His address is Rumford Falls, Maine. I had charge of a party on location under him last season.

"Please answer me here stating salary you are paying and oblige,

"Yours truly, C. F. K. Diblee."

Q. What is the answer?

"Winnipeg, November 12th, 1903.

"C. F. K. Diblee, Esq.,
Box 67
Berlin, N.H.,

"Dear Sir,—Answering yours of the 21st ultimo referring to the matter of a position on the Grand Trunk Pacific, I beg to state that I have secured an engineer to take the position I offered you on the 16th ultimo and there is nothing else at present I could offer you. I will place your name on file and will communicate with you if anything should come up that would be to your interest.

"Yours truly, G. A. KYLE, Division Engineer.

Q. A blunt refusal that? A. Mr. Kyle gave Mr. Heaman the position.

Q. There were other places besides Mr. Heaman's. Were there any other communications from Mr. Diblee after that? A. I don't know.

Q. You will please look. A. These names I had not counted.

Q. Your statement then is not correct. I have given you four names and none of these are Mann's or Hislop's? A. I had the list, I did not go through the applications.

Q. I wanted you to go through them. I have given you four names that you have not got. I have read them out of your own books. These people are all Canadians. A. Of course I could not have the list down there if you had it here.

Q. You had it before. A. I got this up yesterday.

Q. You had the books? A. I got them last night

Q. You had the applications? A. You have some of our correspondence since you were here last time.

Q. Not applications, not these applications, I don't want anything else. A. That is all that appeared at the time.

.Q. That is not correct, your statement as to the number of applications is not correct. Will you undertake to state that these applications are all the applications that were in the book at the time I looked them over? A. Yes.

Q. Then you did not give me all the applications you intended to give? A. When?

Q. Yesterday afternoon? A. I beg your pardon, I have five here.

Q. Then you have not given me all the applications. Is this the file you got all the applications from? A. Yes.

Q. You got them before you sent that file to me? A. I did not have that file.

Q. Probably you have not given all the applications that are here in the file? A. I do not see why, they were in there when I got them..

Q. The application of that man Diblee. I produced it to you, I gave you four Canadians, you did not have him in your statement? A. Nevertheless I think that statement correct.

Q. This statement is not intelligible nor complete and I have shown you that it is incorrect. A. Your Honour has shown me that it is incorrect as to the assistant engineers, in these I now feel I am wrong.

.Q. Have you got everything to get out that statement? A. Yes.

.Q. How is it the errors occurred? A. Of course I did not go through the letter books.

.Q I did not tell you where to go for your information, but the applications are all filed together? A. Supposed to be.

Q. They are not, I have shown you that you have not taken those names. A. I know you have.

Q. What about draughtsmen, how many Canadians and how many Americans? A. I think that some of the applications have been put among the topographers or levellers so that I could not give you much information on that, in fact I cannot give you an answer. I think eight applicaions, seven Canadians and one American for the position of draughtsman.

Q. They are filled there? A. Please tell me what are the names.

Q. I will give you the names, A. H. Laidlaw, Winnipeg. He was witten to on the 8th September, 1903:

"A. H. Laidlaw, Esq., Winnipeg, September 8th, 1903.
139 Carlton Street,
Winnipeg, Man.,

"Dear Sir,—I beg to acknowledge receipt of yours of the 3rd inst., making application for a position on the Grand Trunk Pacific. I think it possible that I may be able to place you as draftsman in the field in a very short time and will notify you as soon as it is possible for me to say the word."

"Yours truly, G. A. KYLE, Division Engineer."

Q. That is Mr. Kyle's signature? A. Yes.

Q. Did he ever get a position as draftsman? A. No sir, not that I am aware of.

Q. Apparently a Canadian? A. Yes sir.

Q. He writes from Winnipeg? A. Yes.

Q. Then there is Mr. Morgan, you have heard about him? A. No I did not hear.

Q. He applied as draughtsman? A. I don't remember him.

Q. Don't remember him, I think in fact you should never forget him? A. I know we wrote him the other day and the first letter was returned uncalled for.

Q. You wrote him on the 11th September, 1903:

"Winnipeg, September 11th, 1903.

"A. M. Morgan, Esq.,
care of C.P.R. Construction Dept.,
Winnipeg, Man.

"Dear Sir,—I would like you to call at my office 197 Princess Street as I can place you as draughtsman in a party to leave Red Deer in a few days. Your salary would be $75 per month and expenses.

"Yours truly, G. A. KYLE, Division Engineer.

Q. That is Mr. Kyle's signature? A. Probably Mr. Morgan was not satisfactory to Mr. Kyle. He would not send him out if he was not capable.

Q. On September 12th, Mr. E. B. Bolger, of Winnipeg, is his name in that book? A. This book was not started.

Q. You wrote to Mr. J. Armstrong:

Winnipeg, September 12th, 1903.

"J. Armstrong, Esq.,
Assistant engineer,
Red Deer, Alberta.

Dear Sir,—

"This will introduce Mr. E. B. Bolger, who has been engaged as draftsman for your party at $75 per month. His time will start from the 12th inst., time of his arrival in Winnipeg.

"Yours truly, G. A. Kyle, Division engineer."

Q. Do you know what became of that gentleman? A. I dont know, *I* think he went out but dont think he is there now.

Q. No he is not there now. These are three you have not in the list of names. This is the only American one that has been answered in the letter book. I do not know the date of that. A. It must be September 23rd:

Q. It reads:

Winnipeg, September 23rd, 1903.

"Ernest J. Gibson, Esq.,
508 Melrose Street,
Seattle, Wash.

"Dear Sir,—

"Replying to your favour of the 19th inst., wherein you make application for a position as draftsman or chainman, I beg to advise you that at the present time I have nothing that I can offer you. However, there is likely to be an opening at any time and if I can see anything will wire you. I might mention in this connection that if you come it will be necessary for you to pay your own fare as we are not allowed trip passes."

"Yours truly, G. A. Kyle, Division engineer."

Q. That was written to Mr. Gibson? A. I think that about that time we were trying to find a man.

Q. These gentlemen in Canada were nearer than those in Seattle, Wash. Now on October 3rd, 1903, here is a letter to Mr. Anderson:

"Winnipeg, October 3rd, 1903.

"J. W. S. Anderson, Esq.,
68 Dagmer Street,
Winnipeg, Man.

"Dear Sir:—

"I have your application on file as draftsman. Kindly call at my office, section D, suite 2, Fort Garry Court, as soon as possible in reference to same.

"Yours truly, G. A. Kyle, Division engineer."

Q. Do you know what came of that? A. It never came to anything.

Q. Mr. Edgar Davies was written to on the same day:

"Winnipeg, October 3rd, 1903.

"Edgar Davies, Esq.,
"Care of Y.M.C.A.,
"Winnipeg, Man.

"Dear Sir,—I have your application on file as draughtsman. Kindly call at my office, section D, suite 2, Fort Garry Court, as soon as possible in reference to same.

"Yours truly, "G. A. KYLE, Division Engineer.

Q. Do you know anything about him? A. No, sir.

Q. And why is his application set forth here before it is indexed, when did that index commence? A. About the first February, 1904, I fancy.

Q. And you have got that application? A. No.

Q. Here is a letter to our friend Mr. Goddard dated October 7th, 1903.

"Winnipeg, October 7th, 1903.

"Mr. C. Goddard,
"Care of John Woodman, C.E.,
"Bank of Hamilton Bldgs.,
"City.

"Dear Sir,—Since seeing you circumstances have developed that will make it impossible to give you a position in my office as draughtsman that I offered yesterday. I am very sorry to have disappointed you, hope to be able to reach you before you make any definite arrangement with Mr. Woodman. "Yours truly, "G. A. KYLE, Division Engineer."

Q. Do you remember that? A. Yes.

Q. Mr. Goddard was not appointed? A. A few days afterwards.

Q. To same position? A. Yes.

Q. You have not given either of these applications in this letter book.

Mr. KYLE interrupting: I counted the applications in the three letter books last night, there were 135 from Americans and 123 from Canadians.

Q. Have you a statement? A. I just counted them over.

Q. Better get a statement.

... Mr. EGGO recalled:

By THE COMMISSIONER: About topographers have you anything? A. Yes, the files have four Americans and three Canadians and none of these are here.

Q. Can you give their names? A. I can from the files. I do not know they applied for the position of topographer.

Q. Here is a gentleman from Pefferlaw, Ont., who is written to on the 13th November, 1903:

"Winnipeg, November 13th, 1903.

"Mr. C. K. Johnston,
"Pefferlaw, Ont.

"Dear Sir,—Answering yours of 8th inst., regarding a position on the Grand Trunk Pacific, I beg to state that I will need two or three topographers soon and will probably be able to give you a position. If you will send me your address so that I can catch you by wire I will notify you when one of these positions are open. We pay $50 per month and expenses after reaching the party. Can give you transportation via G.T.Ry., and Can. Nor. Rwy. to Winnipeg.

"Yours truly, "G. A. KYLE, Division Engineer."

A. He was engaged.

Q. Where? A. On party No. 12.

Q. Where is he now? A. He was discharged.

Q. Who took his place? A. I cannot tell you, he was no good.

Q. Did Mr. Anderson take his place? A. No, sir.

Q. Who took Mr. Johnston's place? A. I cannot say.

Q. Is that the place that Mr. Anderson now fills? A. Well from memory I cannot say.

Q. But you have returns sent to your office? A. I know that.

Q. From those returns does not Mr. Anderson appear to be a topographer. Mr. Anderson is an American? A. I don't know.

Q. You have entered him there as such? A. Yes, I have entered him as such.

Q. This letter offered him a position? A. Undoubtedly so. Well, he is not there now.

Q. Harry Turner, Charlotte Street, Winnipeg, September 10th, 1903. This is Mr. Kyle's letter to him? A. Yes.

"Winnipeg, September 10th, 1903.

"Harry Turner, Esq.,
"66 Charlotte Street,
"Winnipeg, Man.

"I have your application on file as topographer. Will you kindly call at my office at your earliest convenience as I can place you in a party that will probably leave Winnipeg about the 15th of the month.

"Yours truly, "G. A. KYLE, Division Engineer."

Q. Was he employed? A. No, sir.

Q. Can you give me the names of the other men who applied for positions as topographers? A. I cannot any other than the seven on the list we have. There may be some who applied locally.

Q. But those are not the ones you have in that index? A. No, sir.

Q. Those you have are written applications? A. Yes.

Q. You have given me the number of engineers as far as you have them, draughtsmen, topographers and levellers? A. No, not levellers, there are 22 Canadians, three of whom were hired and 25 Americans, none of whom were hired.

Q. Who were hired? A. Men named Street, Blanchard and Redmond.

Q. Now there is a Mr. Stanley Smith of Speho, Assiniboia, applied for the position of levelman? A. Stanley Smith?

Q. Yes, you wrote him:

"Winnipeg, September 17th, 1903.

"Stanley Smith, Esq.,
"Care C.P.R., Construction Dept.,
"Speho, P.O., Assa.

"Dear Sir,—Replying to your letter of the 7th inst., regarding a position as levelman, I beg to advise you that at the present time I have no opening, but I will place your name on file and if anything should come up in the near future I will be glad to correspond with you.

"Yours truly, "G. A. KYLE, Division Engineer."

Q. The future has not yet arrived? A. No, sir.

Q. You have not employed him? A. No, sir.

Q. Mr. Butterfield do you know that gentleman? A. No, sir.

Q. You wrote to him to Arcola, Assa.:

"Winnipeg, September 17th, 1903.

"F. W. Butterfield, Esq.,
"Arcola, Assa.

"Dear Sir,—Replying to your favor of the 11th inst., requesting a position as levelman, at present we have no opening but we might be able to use you in the near future and should we have a vacancy will let you know.

"Yours truly, "G. A. KYLE, Division Engineer.

Q. Was he employed? A. No, sir.

Q. Then you wrote to Mr. Wilfrid E. Cann, Moosejaw, Assa.:

"Winnipeg, October 16th, 1903.

Wilfrid E. Cann, Esq.,

"Moosejaw, N.W.T.

"Dear Sir,—Answering your letter of the 14th inst, applying for a position as leveller, I beg to state that there is nothing at present that I can offer you but a little later there might be something. I will place your name on file and will notify you if anything comes up.

"Yours truly, "G. A. KYLE, Division Engineer."

Q. You did not notify him? A. I think he was hired.

Q. Then Mr. Coleman McPherson, Edmonton, Alberta, Mr. Kyle wrote him on the 12th October, 1903, do you know whether he was appointed? A. He was offered a position as leveller but wired that he could not accept on account of poor eyesight.

Q. Did you offer him another position? A. No, sir.

Q. He was not fit for another position on account of his eyes? A. I cannot say that.

Q. A leveller requires to have very good eyesight? A. Yes, sir.

Q. Kindly get the names of these parties for to-morrow. Try and let me have them to-morrow morning.

Mr. PATTERSON, being sworn:

By THE COMMISSIONER: What is your name in full? A. Herbert Patterson.

By Mr. MOWAT: Are you an engineer Mr. Patterson, and a surveyor? A. Yes.

Q. How many years? A. Engineer about 18 to 20 years.

Q. You qualified as a Manitoba Land Surveyor? A. Yes.

Q. Employed by Provincial Government? A. No, under it as examiner of surveys for Emerson.

Q. Did your practice as engineer bring you in contact with the engineers of Canada? A. In a way, because I was not practising as engineer in Canada but in England and South America?

Q. How long in Canada? A. 10 or 12 years.

Q. You have only done surveying in Canada? A. A little engineering in mining, I was engineer for the electric street railway.

Q. Does your engineering experience give you a knowledge of the personnel of the engineering profession? A. Yes I come continually in contact with them.

Q. Have you heard any of the evidence this afternoon as to the remuneration given to the different officers? A. I heard a statement of salaries paid by the Grand Trunk Pacific.

Q. From your knowledge can you say whether these salaries would tempt engineers in Canada? A. I think that as a general rule the salaries paid by Canadian companies are less than what has been stated.

Q. $4,000 for division engineers, $3,000 for district engineers? A. I know more or less what the C.P.R. men receive.

Q. It is less than that? A. Yes, if this were known there would be a great rush of Canadian engineers. No one knew until this investigation what was being paid. I know that McGill graduates have great difficulty in getting places. There are lots of men who if they knew what salaries were being paid would send in applications.

Q. Mr. Hays said it would take a man a month to look over applications that would come in in a day? A. Yes I dare say.

Q. Then I infer from what you say that this is your opinion? A. It was not advertised in any way.

Q. It is the general practice to advertise? A. No.

Q. It was not known that there were positions open? A. No.

Q. I ask you as a surveyor have you found any difficulty between the Canadian and American systems of surveying? A. I only know generally of the American system, as I understand their numbering of sections is from south to north and ours from north to south.

Q. What is your opinion as to the advantage to Canadians over persons familiar with only American surveys, to do surveying work. A. I would say that in Canada we have a much more complicated system, we have five different systems and of course they all refer to different districts and if we were not familiar with them we would find ourselves running the lines on wrong sections in so far as Manitoba is concerned.

Q. You are now referring to Dominion surveys? A. Yes.

Q. Some of these are under the jurisdiction of the Provinces? A. Yes when the patent is issued they pass to the provinces.

Q. The original surveys are all Dominion? A. Yes.

Q. Have you heard the names of engineers spoken about by Mr. Millican? A. I know most of them.

Q. Do you agree in his opinion that they would be capable of filling these positions? A. Certainly. I know a great many of them personally.

Mr. GODDARD, recalled:

By THE COMMISSIONER: You stated that you had employed Mr. Girdlestone? A. Yes.

Q. Had you authority to employ him? A. I had from Mr. Allan.

Q. You heard what Mr. Allan said about that? A. Yes.

Q. Then you still say that you had authority from Mr. Allan to employ Mr. Girdlestone? A. Yes.

Q. Did you mention the employment of Mr. Girdlestone to Mr. Allan? A. I did.

Q. Before Mr. Mayo came? A. Yes.

Q. Do you remember when that was? A. I think it would be on the Thursday previous to the Saturday and on Friday, and on Saturday Mr. Allan told me he was very sorry.

Q. Mr. Allan stated he was very sorry, you would have to arrange with Mr. Girdlestone? A. Yes, he said Mr. Mayo had come up from the States and would have to get it

Q. Can you give me the date? A. I do not remember.

Q. What month was it in? A. I cannot tell you.

Q. April? A. I think it was April.

Q. Mr. Mayo started when he got the telegram on the 28th, left on the 29th and reached here on the 30th? A. I do not remember the date. Mr. Girdlestone would be more reliable than myself as to dates.

Q. Then it would be on Thursday that the telegram was sent if Thursday was the 28th of April? A. I suppose so.

Q. Mr. Kyle offered him the position of rodman with $50 and expenses? A. I remember that on the 28th April and he said he reached here on the 30th, you said a Saturday. I think it was Saturday that Mr. Kyle brought him down to the office and introduced him to Mr. Allan.

Q. We had yesterday a gentleman named Mr. Fairchild, do you remember if that was the gentleman who should not have been appointed before you? A. One of them.

Q. And when did you appoint Mr. Girdlestone? A. Wednesday or Thursday. I told Mr. Allan what the position was. Sometimes there were vacancies and sometimes there were applications from engineers and Mr. Allan asked me very often.

Q. You had it in your power to assist him? A. Yes.

Q. Mr. Allan speaks highly of your assistance in this respect? A. Yes.

Q. Do you know Mr. Stephens very well? A. Which Mr. Stephens?

Q. The assistant chief engineer? A. Yes.

Q. Has he been in Winnipeg frequently since your appointment? A. I have seen him on several occasions.

Q. How long did he remain here at a time? A. A week or ten days or a fortnight, I don't remember.

Q. Has he been in the office frequently? A. Yes.

Q. Giving instructions? A. Yes.

Q. Have you seen him under the influence of liquor?

By Mr. CAMERON: I object to this question.

THE COMMISSIONER: I do not know what answer will be given.

Mr. CAMERON: I must strongly protest. I am going to ask Your Honour if these questions emanate from outside sources and I should certainly like to know who these people are.

THE COMMISSIONER: You will get this information from the answers given. Now Mr. Goddard have you seen Mr. Stephens under the influence of liquor while he was in Winnipeg? A. Yes I have.

Q. How frequently have you seen him? A. On a Monday night, I mentioned it to Mr. Allan.

Q. When was that? A. Have I a right to answer these questions?

Q. You are compelled to answer them, you are under oath, you understand what an oath is. When was that Mr. Goddard? A. It was on the occasion, a little after I left the Grand Trunk Pacific office.

Q. When was that? A. I left there on the 9th of May this year.

Q. Did Mr. Allan see him? A. He noticed him in May of this year or rather April of this year, when Mr. Stephens was here on his last trip.

Q. Where was he when you saw him? A. I was going to the office but I saw Mr. Kyle and Mr. Stephens come out and I saw them coming. I was going to ask him a question and I saw how Mr. Stephens looked and I thought it better not to and I followed him down the street and he was tight.

Q. That is intoxicated? A. Yes.

Q. What indicated his intoxication? A. He could not walk straight. In the town here Mr. McDonald who was with him at the time saw he was tight. He was annoyed to see what a fool Mr. Stephens was making of himself saying that Mr. Stephens had a pretty good load on.

Q. Now is there any other time you have seen him under the influence of liquor? A. Yes, sir.

Q. When? A. About Christmas time, I think before Christmas.

Q. Where was he then? A. At the Mariaggi.

Q. With whom was he then? A. I don't know.

Q. You noted none of the persons? A. No

Q. Was he as incapable, was he as intoxicated as he was on subsequent occasions? A. He was pretty bad.

Q. What time of the day was it? A. About a quarter to ten at night. Somewhere about there, I did not keep a record.

Q. Any other occasion? A. Yes once in the office he seemed to have been tired and laid down in Mr. Kyle's room quite a while.

Q. How long? A. About six hours.

Q. Did you see him going in? A. Yes and saw him coming out.

Q. He seemed to be the worse of liquor? A. He seemed to be shaky when he went in, he was refreshed when he came out but still shaky. He went into the bath room when he came out.

Q. Have they a bath room at Mr. Kyle's office? A. Yes.

Q. Any occasions besides these three? A. Not that I noticed particularly.

Q. Have you noticed them particularly? A. Sometimes he came into the office and smelt pretty strong of whiskey when he came to my room on very few occasions. It must have been whiskey.

Q. That is what you considered it was? A. Yes.

Q. You told Mr. Allan at times that you saw Mr. Stephens under the influence of liquor? A. Yes, sir.

Q. Now is there anything else you wish to state in this matter before we close the investigation? A. I do not think so.

Q. You are telling the truth in stating these facts? A. Yes.

By Mr. Mowat: I wanted to ask you about the number of young men that you had engaged to go. Can you give me their names Mr. Goddard and whether taken on on your recommendation? A. Among them was one I introduced to Mr. Kyle early in the spring he went to Edmonton.

Q. Teitlebaum? A. He was another, I don't know whether he got it or not

Q. Cooke, Beament, Alfred Girdlestone? A. And Alfred Girdlestone, he was one of the young men I was trying to remember. I did not put down their names. Mr. Allan saw them, some were introduced to him.

Q. Well now that I have asked you this question will you let us know whether in your opinion there has been a distinct intention in the division office here to discriminate against British subjects, is that your belief? A. Mr. Stephens came here and told me to hold on but when I saw the number of foreigners who came from the other side and put ahead of me I got discouraged but was advised to still hold my position down. Mr. Allan I looked upon as a friend but after what Mr. Kyle told me at last I left.

Q. There is nothing in what you have told us there. Are these all the facts on which you base that opinion? A. Well in discussing matters here on different occasions there were very nasty criticisms made as to Canadian loyalty

Q. Very nasty criticisms as to Canadian loyalty before that. By whom were the criticisms made? A. In general conversation.

Q. Between whom? A. Mr. Allan and myself.

Q. Then the observations were made by Mr. Allan? A. Yes.

Q. As to Canadian loyalty? A. Yes, on one occasion when I rquested a holiday for the 24th May he wanted to know why we kept the 24th of May and I told him it was the King's birthday and he said: Why do you keep that blackguard's birthday.

Q. You got hot? A. Yes I did.

Q. By The Commissioner: You did not knock him down? A. Well, no.

By Mr. Cameron: As to the evidence you have given about Mr. Stephen's personal habits, did you volunteer to give that evidence? A. I did not

Q. You never mentioned the circumstances to anybody? A. To some, to Mr. Allan.

Q. To nobody else? A. To one or two of my friends.

Q. Who else have you told? A. Mr. Eggo on some occasions.

Q. Anybody else? A. I do not remember.

Q. You cannot remember anybody else? A. While I was in the employ of the Grand Trunk Pacific I spoke to Mr. Allan and likely some of the other employees.

Q. I mean since that time did you mention this matter of Mr. Stephens' personal habits recently? A. I know very few people here.

Q. Have you been discussing here in hotel bars yourself? A. No I have not.

Q. You have not mentioned it? A. No, I have not.

Q. Have you had any conversations with Mr. Griffith about the matter? A. I have spoken to Mr. Griffith about this investigation but I did not think of saying anything about the matter.

Q. And it was not he that suggested that you should give evidence on this subject? A. No.

Q. Who was it that suggested? A. Mr. Girdlestone asked me to come and give my evidence.

Q. Mr. Girdlestone suggested that? A. He suggested my coming here.

Q. As to the evidence you gave this afternoon he suggested that you should give that evidence? (No reply.)

Q. And the only persons to whom you have mentioned the matter are Mr. Eggo and Mr. Allan? A. Well to an engineer here.

Q. I do not wish you to give his name.

Q. To Mr. H. Armstrong? A. I have mentioned it to Mr. Armstrong.

Q. And nobody else? A. No.

By THE COMMISSIONER: Did Mr. Allan speak to you about Mr. Stephens' habit of drinking before you spoke to him about it? A. He said Mr. Stephens took a drink about every twenty minutes.

Adjourned.

Winnipeg, Wednesday, June 22nd, 1904, 10.30 a. m.

Commission resumed.

Present: HIS HONOUR JUDGE WINCHESTER,
" Mr. H. M. MOWAT, Counsel for Dominion Government,
" Mr. J. D. CAMERON, K. C., Counsel for G. T. P.

JOHN IRVINE, sworn:

By Mr. MOWAT, K. C.: Q. I am told you are a civil engineer having practised in Canada for a number of years? A. Yes.

Q. How long? A. Well, I graduated from the School of Science in Toronto in 1869; I have been at work more or less ever since. Of course in the winter I have been laid off.

Q. On railway work? A. The summer of 1889 I worked on subdivision work in the North-West Territories and since then I have been employed on railway work.

Q. Construction and location? A. Yes, been on construction and location and maintenance of way.

Q. What has your experience and your achievements been in location work? A. Well, I was ticket man in 1898.

Q. You are beginning at the bottom of your career and going up? A. Yes. Ticket man. Then in 1890 and a portion of 1891 on the prairie; then I took charge of location of a section of the Irondale, Bancroft and Ottawa in 1894; in 1898 I was transitman under Mr. T. H. White for a while on the Ontario and Rainy River, now a portion of the Canadian Northern, which runs from Port Arthur, and afterwards revised a portion of it by myself; then I located a spur line, I forget now, it must have been the spring of 1901, on the same work from the main line into the Antikokan Iron Mine. A year ago last March, 1903, I went out as transitman on the Trans-Canada east of Fort Simpson, under Mr. Hill, of Westminster, and after a while through some of the men leaving I was given charge of the field of the party and location of the line.

Q. You were assistant engineer in charge of that party for some time? A. For several months.

Q. I won't ask you the details of your work on construction, but has that extended over some years? A. Yes, it has been in between all the rest. I was on construction between 1898 and January, 1902, on the Canadian Northern and the Ontario and Rainy River.

Q. I understand that you applied, to whom of the Grand Trunk Pacific for employment? A. To start with, I applied to Mr. Hays I think some time in February in 1903 and he answered and said he would refer my letter to Mr. Stephens, the chief engineer. I don't mind what Mr. Stephens said at the time but I think it was the ordinary reply that he had put it on file and there was no work at present, it had not been organized, but before I received that I cancelled that application because I had received work on the Trans-Canada.

Q. Did you apply again or let them know? A. When the work was closed there in June, I think it would be towards the end of June, I met Mr. Stephens in Vancouver; I was introduced to him by Mr. Cambie, of the C. P. R., divisional engineer; I made an appointment with him to meet him the next morning, and did so and gave him my address. He said there was no work at present. I don't think he asked hardly any questions as to my experience. I think that was all there was to that.

Q. Did Mr. Cambie act as your sponsor or give you a recommendation at the time? A. He didn't in my presence. He would be quite willing to do so. At least, he said so I think afterwards, but he may not have.

Q. But Mr. Cambie knew your work? A. Yes; I worked on the Pacific division and then I applied by letter to him in September some time, I don't know the exact date, and received a reply that he had referred my application to Mr. Van Arsdol in Victoria. When I got through with the work I was on at that time I had not cancelled my application because when working for Mr. Garden there I made arrangement if work turned up for me on railway work I was to leave at once without giving notice, so I took his work on that consideration.

Q. You were not to be fettered? A. I was not to be tied to the work. When the work was done there, towards the end of September, I went to Victoria to see Mr. Van Arsdol and he was not there, so I went on and waited in Vancouver until he came from the north, and I went again to see him and he said there was no work at present but he said he thought there would be lots during the spring. I was not particularly anxious for a place then, though I would have taken it, because I had been away from home for a couple of years. What I wanted was a promise that I would get a place in the spring when work did open and I would be willing to come back.

Q. Was it your idea to get an office or position of assistant engineer in charge of a party? A. Yes.

Q. For which you know you were well capable? A. Yes, I consider I am capable and others I have worked for will say the same.

Q. Nothing came of these? A. He wouldn't promise me that, so of course I went home. I kept him posted as to my address and nothing came of it. Then when I was east, at home, I went to Montreal to see if there was anyhing there.

By Mr. CAMERON: Q. When was this? A. It would be in April. I am pretty sure it was on towards the end of it. Mr. Stephens was not there but his assistant looked up my application and said he would draw Mr. Stephens' attention to it.

By Mr. MOWAT: Q. Do you remember what that gentleman's name was? A. I didn't get his name. I waited; didn't get any reply to that; and I had in the meantime written to Mr. T. H. White, who was chief engineer of the Ontario and Rainy River—he is now in Nova Scotia—for a recommendation and when I got that I sent that to Mr. Stephens and also to Mr. Van Arsdol.

Q. Both? A. Yes; and they replied. I happen to have their letters with me.

Q. Let me see them? A. (Produced.)

Q. A letter of May 27th of this year, Mr. Van Arsdol to Mr. John Irvine: "Dear Sir,—Replying to yours of the 17th would state nothing has "developed which I could offer you. I shall keep you in mind, however, "communicating with you at a later date in case I am able to offer you em- "ployment. I return you herewith your letter of recommendation from Mr. "T. H. White, chief engineer, H. & S. W. Railway. Yours truly, C. C. "Van Arsdol, Divisiol Engineer" with the initial "M" under it, which I presume stands for Mellen.

A letter from Mr. Stephens dated Montreal, June 3rd, 1904, to John Irvine, Harriston: "Dear Sir,—I have your letter of June 2nd together "with one from Mr. T. H. White, chief engineer of the Halifax and South "Western Railway, and have attached same to your previous application. "I am still unable to offer you a position, but will be very glad to consider "your application at the earliest opportunity. At present there are no "parties being sent out. Yours truly, J. R. Stephens. (With the initial "M") Assistant Chief Engineer."

Mr. CAMERON: What is the date of those letters?

Mr. MOWAT: 27th May and June 3rd.

(Q. continued.) We examined Mr. Van Arsdol the other day and he produced his applications in which was yours applying for work without specifying what work you wanted, and we found that was put in a pocket of the filing case for either transitman or draughtsman. Was that your idea of the only position you were equal to filling? A. I, of course, would take the work, but when I was speaking to Mr. Van Arsdol I said I thought I should get a place in charge of a party, and that was what I was looking for, that was what I went to see him for, because if all the work went on there was going to be a demand for engineers. It was not a question of getting away back there to work, although I would like to have gone back.

Q. Among the engineering profession employment on this new National Railway is considered somewhat of an advantage, is it not? A. It is in this way, I judge it is because it would last for so long and there would be quite a few years steady work, and of course that was my idea in getting a place pretty well up on it because the work would have to be covered pretty well with engineers.

Q. And chances for promotion for a good man? A. The way they would have to cover it, particularly under the terms that were in force last fall, they would have to cover it with engineers all at once practically and there would be no chance for promotion.

Q. That is immediate promotion? A. No.

Q. But eventually I suppose? A. Well, eventually, of course, the parties would be thinned out and of course a good many would be dropped.

Q. As an engineer practising for fifteen years in Canada, do you consider that the remuneration of $175 a month for assistant engineers, $250 a month for district engineers, and $4,000 for divisional engineers, are tempting offers? A. Yes; I think they are larger than they have been usually.

Q. For the same grades of officers in other railways? A. Of course I can't say for the latter because we don't know very often the salaries that our superiors get, but regarding the lower positions, the $175, it was—

Q. And expenses? A. Yes. That was a little better than is paid in general; I believe that was paid on the Crow's Nest, although I didn't work there.

Q. Are you in a position to tell us here whether there are Canadian engineers who have been accustomed to work in Canada available for the staff positions on the Grand Trunk Pacific? A. So far I should judge a number

of engineers might take the places, but whether they are at work or not I couldn't say at present, because I am not in correspondence only with a number, but I should judge there were quite a number of engineers. Whether they would take the place or not is another question.

Q. If the Grand Trunk Pacific people had made it generally known they desired to employ Canadian engineers, do you think at these salaries they could have obtained competent and efficient men?

Mr. CAMERON: That is really a matter of opinion.

Mr. MOWAT: I want his opinion.

A. They would have obtained quite a number of them anyway I think that would be competent, because there is quite a number of engineers that I think that would be higher salaries for than they had been getting, and I think the higher salary generally takes the man.

Mr. CAMERON: A pretty general rule.

Q. Take two locating engineers in charge of parties or their assistants and put them into work in Canada, is there in your opinion any advantage for a man who has previously worked in Canada and accustomed to climatic changes and the topography over one not familiar with it, especially bearing in mind the different systems of surveys? A. The man in Canada who was the assistant or surveys would have the decided advantage, and in the matter of climate it would depend on where he came from in Canada. Those who have been on surveys know what to expect and they go out and take the weather as a matter of course, which another person would not, coming from a different place.

Q. We have heard of two gentlemen in this survey who suffered severely from the cold? A. Yes.

Q. Had you known that happen to others? A. I suffered from the cold myself.

Q. Has it ever resulted in your ceasing to work? A. No; I always carried on my work and I worked through one of the hardest winters we had.

Cross-examined by Mr. CAMERON: Q. Had you been unable to obtain the position of assistant engineer still another position might have suited you had you found a vacancy? A. I would have taken any position rather than be idle.

DENSTON GIBSON, sworn:

By Mr. MOWAT: Q. You are a civil engineer? A. I am.

Q. Of some years practice? A. Yes, I was connected with a well-known firm in Birmingham, England, five and twenty years.

Q. How long have you been in Canada? A. A few months only.

Q. Did you make it known to the Grand Trunk Pacific system that you were desiring employment? A. I saw a statement in the Free Press early in May that the Grand Trunk Pacific Railway Company were only going to employ experienced surveyors and I immediately wrote, on May 6th last, and sent my letter explaining my qualifications and intimating that I was a Fellow of the Surveyors Institute of London and told them I had good testimonials and asking for a berth. I didn't specify. I should have been only too glad to get anything connected with surveying.

Q. Even with an instrument? A. Yes.

Q. Would you consider yourself competent to take charge of a party? A. I won't say that in Canada because I have never done any Canadian surveying, but I had a lot of experience in England, you know.

Q. In railway work? A. In railway work, not to the same extent as this would be, but in small branch lines.

Q. For some twenty-five years? A. Five and twenty years. 1875 I joined.

Q. You posted this letter, didn't you? A. I posted it myself; I also enclosed a stamped and addressed envelope for reply and I never heard a word from that day to this.

Q. Your stamp not even returned? A. No, sir.

Q. Did you give your qualifications in your testimonials or give them some idea of what your capacity was? A. I said I had been several years with this firm in Birmingham, England; I had considerable experience in railway and other surveying; that I understood levelling, could plot my own work and make a fair plan of it.

Cross-examined by Mr. CAMERON. Q. To whom was the letter addressed? A. To the engineer of the Grand Trunk Pacific Railway, Montreal.

Mr. MOWAT: Mr. A. M. Morgan writes a note saying that inadvertently he made a mistake in his evidence saying that his application was made last year to Mr. Kyle instead of to Mr. Stephens.

A. G. ALLAN, recalled.

By the COMMISSIONER: Q. You are still under oath. I find among the letters of this year one written apparently at your dictation and signed "Mr. Kyle" per your initials? A. Yes.

Q. "Winnipeg, March 26th, 1904. Mr. L. R. Orde, Assistant Engi-"neer, Rat Portage, Ontario. Dear Sir,—This will introduce to you Mr. "A. L. Girdlestone who I am sending out to you as requested for a chain man. "His salary will be $40 a month and his time will commence on the 29th "inst. Girdlestone chained several hundred miles of the Canadian Pacific "recently and ought to make a pretty good man." That was your letter? A. Yes.

Q. That was the Girdlestone you remembered in giving your evidence yesterday? A. Yes.

Mr. CAMERON: The brother's name was Frank, was it not?

THE COMMISSIONER: I think it was.

Q. You heard what Mr. Goddard said about that? A. Yes.

Q. What do you say with reference to that? A. That might or might not be right; I can't recollect it.

Q. I understood you to say that you obtained your naturalization papers in the United States in 1898? A. Yes, sir.

Q. Did you ever claim to be a British subject since then? A. No, I don't think I did.

Q. Did you claim to be a British subject after coming to Canada? A. I said I was an Englishman.

Q. Did you claim to be a British subject after coming to Canada? A. No, sir.

Q. Did Mr. Kyle know you were an American citizen? A. I don't think he did until just in the last few days.

Q. Don't you think he did three weeks ago? A. No, I don't think he did.

Q. How did he come to tell me you had obtained your papers when I was here first? A. He might have known, but I know that in conversation recently with Mr. Stephens just before I went out in charge of party No. 10, Mr. Stephens didn't know that I had taken out my first papers.

Q. Yet he knew you in the States after you had taken out your papers? A. Yes.

Q. Did you vote in the States? A. No, sir, never voted.

Q. Do you know whether he knew in the States that you had become an American citizen? A. I don't know.

Q. Was there anything done to prevent him from knowing it? A. No, sir.

Q. Do you remember telling him that you were? A. Not in the States.

Q. Not in the States? A. Not that I know of.

Q. Had you any conversations with him about it? A. No, I think not. I can't remember.

Q. You can't remember? A. No. I was always looked upon as an Englishman on account of my accent.

Q. But Englishmen become Americans I understand? A. I found that out.

Q. You became one, too. Did you claim then always after that to be still a British subject to Mr. Stephens? A. I don't think the matter ever came up hardly. I don't remember any reference to it except since this commission started.

Q. Had you been asked whether you were an American citizen or British subject since you came to Canada, what would your answer be? A. Well, sir, as I hadn't taken out my British naturalization papers I presume I would be an American.

Q. I didn't ask you that. I know you are an American. What would your answer have been had you been asked after coming to Canada? A. I would say I was an Englishman.

Q. I ask if you had been asked whether you were an American citizen or British subject after coming to Canada, what would your answer have been? A. It would have been that I was an American.

Q. No doubt about that? A. Oh, no. I have never denied it.

Q. You heard Mr. Goddard's evidence with reference to informing you of Mr. Stephen's condition? A. Yes.

Q. What do you say as to that? A. It may be so. I don't know anything about it.

Q. You know whether he said it to you or not? A. Oh, certainly, he said things to me.

Q. He told you about Mr. Stephen's condition? A. He mentioned it, yes.

Q. At the time it took place? A. Right afterwards.

Q. What do you say as to Mr. Stephens' condition? A. It may be so, but it is merely rumor. I never actually saw him.

Q. But you have heard rumors? A. I have heard rumors.

Q. From more than Mr. Goddard? A. Yes, I believe so.

Re-examined by Mr. CAMERON: Q. You belong to what might be called an army family, having been born in India? A. Yes.

Q. You have some brothers in the service now, or had? A. Yes, I have one brother who is captain in the 1st Battalion of Gordon Highlanders; the next brother is an assistant surgeon in the army and medical department, and the third one is a cadet at Sandhurst and pressing for a commission next month.

Q. You were about to enter the army yourself, were you not? A. Yes.

Q. How far did you proceed? A. I passed the competitive examination.

Q. Why did you not enter the army? A. Because I had a bad cough.

Q. You could not pass the medical examination? A. No.

Q. Was your father in the military service? A. My father was originally in the East Indian Company's service before the Sepoy Mutiny and afterwards in the dockyard service.

CHARLES R. SOUTHERN, sworn.

By THE COMMISSIONER: Q. You have been attending this commission since it started, Mr. Southern, as constable? A. Yes.

Q. Do you know when it started? A. Commenced proceedings in Winnipeg?

Q. Yes? A. About the 6th June.

Q. In the afternoon? A. Yes.

Q. And sat until— A. The 8th or 9th June.

Q. During those sittings did you meet with Mr. Stephens? A. Yes, I met him several times at night on the street.

Q. You have seen him attending these proceedings? A. Yes.

Q. What condition did you find him in on any of these nights that you met him?

Mr. CAMERON: Your Honor, I must protest most strongly once again against this examination with reference to Mr. Stephens.

THE COMMISSIONER: I have it noted. I tried to wait until Mr. Stephens came back. I will give you an oportunity of answering. I won't close it without that. I hoped he would be here on Monday, I waited until yesterday, and now I am willing to wait until to-morrow to give him an opportunity of answering.

Mr. CAMERON: I cannot see what bearing these questions can have upon the subjects that are properly before this commission under the terms of the commission, and I cannot help stating that I regard it as most unfair to Mr. Stephens that this line of examination should be taken by your Honor. So strongly do I feel in that respect that I have been considering if it were to be resumed whether it would not be my duty to withdraw from further participation in this commission.

THE COMMISSIONER: I have no doubt you will do what you think is best under the circumstances, Mr. Cameron. I have a duty to perform and I must perform it according to my ability and knowledge.

Mr. CAMERON: What possible bearing can it have, may I ask your Honor?

THE COMMISSIONER: I have already told you that Mr. Stephens, Mr. Hays and Mr. Kyle have stated that the reason why they employed American engineers was that they could not obtain suitable Canadian engineers or British subjects for the work. I have already told you that Mr. Kyle refused to re-engage Mr. Kerle, because Mr. Kerle was intoxicated and he assigned that as one of the reasons for his refusal to employ him. Now, if that is a good reason why a British subject should not be empoyed then certainly the same application should be made to American engineers.

Mr. CAMERON: Am I to understand your Honor then that because Mr. Kyle in the execution of his duty as an officer of the Grand Trunk Pacific chose in his discretion to reject a man's application for employment because he saw that applicant in an unfit condition, under the influence of liquor, that therefore an attack upon Mr. Stephens' personal habits is justifiable?

THE COMMISSIONER: I didn't say that alone. We have to find whether these men are more capable than Canadians, because if they are then we must employ them as such. If they are not as capable as Canadians then why should they be employed? That is the position.

Mr. CAMERON: Is this commission here to test the competency of Mr. Stephens for the position he occupies? I say no.

THE COMMISSIONER: This commission is here for the purpose of hearing all evidence that can be adduced with reference to the capacity or capability of Canadian engineers to perform the work which is being done by American engineers.

Mr. CAMERON: Nevertheless—

THE COMMISSIONER: That is your position. You have taken that.

Mr. CAMERON: The tendency of these questions is to assail Mr. Stephens' competency for this position and I say that is not in issue before your Honor at all at the present time.

THE COMMISSIONER: You have put it in issue, that is the only difficulty. You have put it in issue by your witnesses' statements. Mr. Hays and Mr. Stephens and Mr. Kyle put it in issue when they say that they could not get as capable men in Canada to perform this work as they could from America.

Mr. CAMERON: The only one of those you have mentioned whose evidence I have heard was Mr. Kyle and he took no such position at all. Mr. Kyle said distinctly—I think your Honor will bear me out that his evidence followed on this line—that from May one year ago the policy of the company as he understood it was to employ Canadian engineers and Canadians for other positions in preference to Americans?

THE COMMISSIONER: Yes.

Mr. CAMERON: That he swore to in the witness stand and there was his evidence afterwards which, by the way, has not yet been completed.

THE COMMISSIONER: And since then he has employed Americans for this work.

Mr. CAMERON: That is a matter of course for discussion.

THE COMMISSIONER: No, that is not a matter for discussion; that is what he has sworn to.

Mr. CAMERON: That has nothing to do with the immediate point I am bringing before your Honor. In one case he rejects a man when he saw that man in a condition unfit for duty, but can it be argued that that justifies an attack upon Mr. Stephens in Mr. Stephens' absence?

THE COMMISSIONER: It is not my fault that Mr. Stephens is absent; he promised to be here on Monday.

Mr. CAMERON: I will most certainly ask—

THE COMMISSIONER: I will give you every opportunity of answering him.

Mr. CAMERON: He ought to be here to hear this evidence. If this man is to give evidence impeaching Mr. Stephens' character by all means let him do it while Mr. Stephens is present, and I insist upon that. At the very least I would ask for an adjournment necessary to get Mr. Stephens here, who had no idea whatever that any such attack as this upon him was to take place. I shall certainly protest as strongly as I can against any further examination in this direction, and your Honor must see it is only the merest justice to Mr. Stephens that he should be present while his personal and professional character is being assailed. Both of these matters are of vital importance to him.

THE COMMISSIONER: Mr. Stephens will have every opportunity of answering all the evidence that will be adduced so far as it affects his character or any other thing. In fact he is to be examined at any rate. His examination was not concluded.

Mr. CAMERON: Will your Honor not adjourn the examination of this witness?

THE COMMISSIONER: If I knew when Mr. Stephens would be here I would do it. I have been adjourning it from day to day; I have been asking

every day, Where is Mr. Stephens? When will he be here? and I am told on Monday that he is expected the next day, Tuesday, and on Tuesday that he is expected to-day.

Mr. CAMERON: Your Honor never intimated to me that evidence of this kind was to be adduced.

THE COMMISSIONER: I am not going to intimate what kind of evidence I am going to adduce. I am going to adduce the evidence required by the commission.

Mr. CAMERON: That would have insured his attendance here at the earliest posible moment. I have no doubt that his detention in Edmonton is due to strictly business purposes.

THE COMMISSIONER: There is no insinuation that there is anything else at all. I presume so.

Mr. CAMERON: No insinuation that he is evading his attendance here?

THE COMMISSIONER: Not at all.

Mr. CAMERON: Why not adjourn the commission till he is here?

THE COMMISSIONER: Will it make any difference?

Mr. CAMERON: I should think so.

THE COMMISSIONER: If Mr. Stephens is not coming here I am going to conclude to-day. I am not going to wait here till Mr. Stephens turns up some time next week. I will give Mr. Stephens an opportunity to answer all these questions and if necessary come back here, if he says it is necessary for him to answer them. Now, I can't do anything more.

Mr. CAMERON: I am absolutey without instructions on the point, as your Honor can imagine, but if an adjournment of one day is granted I feel reasonably certain Mr. Stephens will be here in the course of the day or to-morrow.

THE COMMISSIONER: I will take the evidence now and not conclude this man's examination until to-morrow.

Mr. CAMERON: I want Mr. Stephens here to listen to this man.

THE COMMISSIONER: You can recall this man. This man has to leave here this afternoon.

Mr. CAMERON: He can be here to-morrow.

WITNESS: I will be here if I do not succeed in the matter of the work I am after, but if I succeed I am not going to throw away $15 a week to attend here, if his Honor releases me.

THE COMMISSIONER: I will call him back if it is absolutely necessary for Mr. Stephens, but I want this man's evidence before he leaves, that is all. He is leaving this afternoon.

Mr. CAMERON: Your Honor can see the damage that is being done to Mr. Stephens, damage which may be irreparable by statements of this kind in evidence being given to the public and published. In fact it is sworn to and it renders it all the more damaging.

THE COMMISSIONER: It would not have been stated if it had not been sworn to.

Mr. CAMERON: And yet Mr. Stephens is not here to watch this man give his evidence, not to hear what he says.

THE COMMISSIONER: It is not necessary to have Mr. Stephens here to have any evidence given against him, he is not a party to it.

Mr. CAMERON: Technically, of course, he is not a party.

The COMMISSIONER: And every official is in the same position. Mr. Kyle or Mr. Van Arsdol or any other official may be charged in the same way, that is just the position he is taking, and it would be absurd for me to adjourn unless these men come and hear the statement made against them. These statements so far as all American employes are concerned are to show they are not more capable or better than Canadians,

Mr. CAMERON: The position of Mr. Stephens is not at all a technical one and not one of the class in this respect because he is the issue in this particular phase of this investigation.

THE COMMISSIONER: So is every man who is being shown to be an American citizen. They are the issue.

Mr. CAMERON: It is his personal character that is now at stake.

THE COMMISSIONER: Not any more than others, as far as evidence against the others is concerned. I will allow you to recall Mr. Southern or have him called when Mr. Stephens comes. I can't do anything more than that; that is fair. I want to get this man's evidence before he leaves.

By THE COMMISSIONER: Q. You have seen Mr. Stephens during the Sessions that we held between the 6th and 9th June last? A. Yes.

Q. What condition have you seen him in at any time during that Session? A. The night of the 7th or 8th of this month he came out of O'Connor's Hotel and he was decidedly under the influence of liquor; he fell on the sidewalk, pretty near into the gutter.

Q. What did you do? A. I went to pick him up.

Q. Where did he go? A. He walked on up Maine Street, south.

Q. Did any one see him? A. Yes, a policeman was watching him.

Q. What time of day was this? A. About nine o'clock, I should think.

Q. About nine o'clock in the evening? A. Yes.

Q. Was it light? A. Just getting dark.

Q. There is no doubt about his being the man? A. Certainly not, sir.

Q. Did you see him on any other occasion? A. Not while the Commission was sitting. I saw him since.

Q. Where? A. Outside Portage Avenue, between Notre Dame Street and the corner of Main.

Q. When was that? A. I couldn't tell you exactly when; it was sometime when you were away at Edmonton.

Q. What condition was he in then? A. He was under the influence of liquor then.

Q. What time of day was it? A. I am sure I couldn't tell you whether it was morning or afternoon, sir; it was one or the other.

Q. Was he noticeably under the influence of liquor? A. He was swinging along on the sidewalk like a drunken man does stagger around.

Q. Any one watching him? A. I couldn't say. I went on about my business.

Q. And left him there? A. Yes.

Q. Those are the only two occasions that you remember seeing him under the influence of liquor? A. That I have noticed him. I was surprised when I noticed him the last time.

Q. That was the last time? A. After you went away.

Q. You were surprised to see him? A. Yes.

Q. Was he noticeably under the influence then? A. Certainly he was; he couldn't walk straight.

THE COMMISSIONER: Do you wish to ask him anything, Mr. Cameron?

Mr. CAMERON: Not at present, but I may want this man.

GEORGE A. KYLE, recalled.

By THE COMMISSIONER: Q. There was a letter produced yesterday, Mr. Kyle, which you had written to Mr. Allan of the 20th June, 1903 (Hands same to witness.)

Mr. Cameron looks at letter with witness.

THE COMMISSIONER: Do not be speaking while you are under examination. Speak to me, please.

WITNESS: I was asking a question, that is all, your Honor.

Q. This is a letter that you wrote to Mr. Allan? A. Yes, I wrote that letter.

Q. "Referring to the matter of keeping the men who were sent out "from Montreal, I wish you would please arrange to keep all the rest of the "men who are with you, as I have seen Mr. Stephens. It seems as though "they were rather forced on him by officials of the company on account of "political reasons." Will you kindly explain the meaning of that sentence? A. Well, that matter may be a little misleading. I can't say they were forced on him by officials of the company. They applied there in Montreal and it was supposed they had some political influence and it was better to keep them.

Q. What was the case; don't "suppose" at all? What were the facts in connection with it? A. That is all I know. I don't know what influence they had or anything about it.

Q. You don't know anything as to influence? A. No, sir, I do not.

Q. How did you come to write that? A. Mr. Allan was objecting to the man—

Q. You say they were forced on him by officials of the company on account of political reasons? A. That is what I meant to convey, that they were sort of political protoges.

Q. What do you mean by political protoges? Give me the facts? A. They were sent out here from Montreal.

Q. By whom were they sent out? A. By Mr. Stephens.

Q. And you say they were sent or forced on him? A. Well, that is what I say in that letter; that probably is misleading; I really don't know about that.

Q. This is your own imagination, is it? A. I took that for granted, that is all; I didn't know anything about it.

Q. You had no facts at all? A. No.

Q. No facts to show that? A. No, sir. I understood that it would be policy to keep those men.

Q. From whom did you understand it would be policy to keep those men? A. Just in a general way; I had no definite instructions.

Q. From whom did you understand it was policy to keep them? A. I didn't have any definite instructions. I say that I assumed that because they sent them out.

Q. Because who sent them out? A. I presume because Mr. Stephens did.

Q. Because Mr. Stephens sent them out it would be policy to keep them. Is that what you say? A. That is what I say.

Q. Is that what this conveys? A. That may be misleading.

Q. Is this correct or not? A. I say that letter is probably misleading.

Q. Is it correct? A. I told you, didn't I, just now.

Q. Is this statemen here correct to your knowledge or not? A. That statement is not correct.

Q. You don't know anything about these men being forced on Mr. Stephens? A. No, sir, I don't.

Q. You don't know anything about the fact that they were forced on him by officials of the company for political reasons? A. I didn't say that.

Q. Have you any fact to base that statement in the letter on? A. I have not.

Q. Have you ever had any fact? A. No; I just assumed that because they were sent out here we probably better keep them as a matter of policy.

Q. A matter of policy for the company to keep men who were expensive? A. Well, it would not be from a financial point but it might have been from some other point.

Q. What other point could it be? Isn't this a financial corporation altogether? A. We expected it would be when we came up here but we found out it may be otherwise.

Q. It may be? A. Yes.

Q. Anything might be. Give me the facts if you have anything to govern you? A. For instance, if we were compelled to employ men that were not capable, men that would have their ears to the keyhole and knife at your back, it might not be.

Q. Have you employed such men? A. I am sorry to say there have been one or two here.

Q. Who are they? A. Mr. Goddard seems to be one.

Q. Anybody else? A. Well, I don't know; there is one or two others.

Q. As the court adjourned last evening Mr. Goddard complained that you used a very vile name to him on his going out. You heard the words he used. A. Yes, sir. I denied it at the time and I do now.

Q. You do now under oath? A. Yes.

Q. What words did you utter then? A. I didn't utter any words. I shook my head at him when he sat down, I was so pained to think he would do that.

Q. You shook your head at him and uttered no words? A. Yes.

Q. You swear that? A. Yes.

Q. You heard the words that he alleged you used to him? A. Yes.

Q. They were very vile? A. That is what he said.

Q. The words he uttered were very vile? A. They were, yes.

Q. You say you only shook your head at him? A. I shook my head at him.

Q. And didn't use any words? A. No.

Q. You go on in this letter to say "I think it would be preferable to delay the work rather than send any more men in at present for the above reasons." What did you mean by that? A. As I say I thought it was policy rather than send the men back it would be better to lose a little time.

Q. Losing time by detaining the men. You thought it better to keep these men and not replace them with good men? A. As a matter of policy. They were Canadians principally.

Q. Are you sure they were? A. I supposed they were; I don't know.

Q. Why do you say they are, if you don't know? A. They came from Montreal.

Q. A number of Americans came from Montreal? A. They didn't live there. They were supposed to live—

Q. I understood you to say they lived elsewhere than Montreal, one of those, yesterday? A. I don't remember that.

Q. You go on to say "You will be able to get your work done as soon as the balance of the party in any events." What did you mean by that? A. The last part of his division is over a practically level country and it was just a matter of laying a tangent from one end to the other and putting the grade right.

Q. "After you have completed the half of your 100 miles of which "we know the detail and it is consequently of very little importance." What

do you mean by that? A. I meant we practically knew what we could get through that country in that line.

Q. That is your explanation of that letter then? A. Yes.

Q. You not only refused to re-engage Mr. Kerle, but you wrote to Mr. Stephens respecting him? A. Yes, I did. He complained to Mr. Stephens and I wrote him a letter.

Q. On the 22nd February, 1904, you wrote this letter. (Produced.)? A. Yes, sir.

Q. This is addressed to Mr. Stephens, chief engineer. "Dear Sir,— "I herewith return you Mr. W. G. Kerle's letter of the 11th inst. Com- "menting on same I will say Mr. Kerle came with some very good letters of "recommendation from Australia, was given a position as transitman with "Mr. Mann; he didn't fill the position satisfactorily to Mr. Mann; was kept "by him until Mr. Mann was transferred and Mr. Mayer succeeded him; "Mr. Mayer said he was not able to fill the position at all satisfactorily on "account of his physical disability and his inexperience in using methods "in vogue in this country. I understood Mr. Kerle was subject to some kind "of fits and whenever the party were any distance from camp Mr. Kerle was "compelled to start some time before the party to get to camp at the same "time, so Mr. Mayer was compelled to discharge him." These facts were reported to you by Mr. Mayer in his report as put in? A. Yes. I also understood this from other persons in the party that I enquired from.

Q. This follows the report Mr. Mayer gave you; the very wording of it? A. After that, yes.

Q. "Compelled to start a couple of hours before the party?" A. Yes.

Q. You were not aware at that time Mr. Kerle had met with an accident? A. I think he had, but that was not the time. That was a general proposition, whenever he was working at the camp several times he could not get in with the rest of the party.

Q. Was that after or before he had met with his accident? A. That was before he met with this accident.

Q. And it was in consequence of his meeting with the accident he had to come here? A. I don't know why.

Q. You heard his statement? A. Yes, he told me that, but in a general way he was incompetent.

Q. You continue your letter, "When he came to Winnipeg I am afraid "that his statement as to his sobriety being unquestionable would not hold "good. He came to my office on one or two occasions very much intox- "icated. In fact, on one occasion he fell down in front of the office and "when he got up he was facing the other way and so did not reach the "office. The last time he came to the office he demanded in language more "forcible than eloquent why he could not get a position on the Grand Trunk "Pacific and, of course, I was compelled to give him a few reasons. He "may have been a good man in Australia, but he must have degenerated on "the passage over." That is the letter you reported him in? A. Yes.

Q. Did you receive this letter from W. W. Benjamin? A. Yes, I suppose; I don't remember the details of it.

Q. It is from Montana? A. Yes.

Q. Applying for a position as rodman? A. As rodman.

Q. Dated October 23rd, 1903. You referred his communication to Mr. McNeill? A. Evidently, yes.

Q. How is it you have his communication here? A. That may be to refer to Mr. McNeil.

Q. You may have written to him to enquire of Mr. McNeil? A. To apply to Mr. McNeil for a recommendation; that is what it means.

Q. You don't know whether he was employed by Mr. McNeil? A. I don't know, your Honor.

Q. He has been employed since then? A. I don't really know.

Q. Will you look at this correspondence—I am not going to read it—between you and Mr. Goodman and say whether it is correct? A. I think that is a personal letter.

Q. Will you look at it and see whether it is a personal letter. That is not the first time you have made statement like that when it was not correct? A. (Witness looks at letter.)

Q. Did that correspondence take place between you and Mr. Goodman? A. Yes.

Q. And you placed it in the files of the company among the applications, did you? A. I think that may be right.

Q. That is where I got it? A Yes.

Q. So that it is a company matter? A. Well, I presume you would call it that.

Q. I presume if it were not I would not have had the opportunity of seeing it? A. Not necessarily. I turned everything over to you that we had.

Q. Did you? A. Yes.

Q. Did you turn over the original to me of February 22nd, 1904, to Mr. Stephens? A. The original.

Q. Yes, the original of that letter re Kerle? A. I suppose it would be in the letter book—should be.

Q. Where is it in the letter book? Would you kindly look?

Mr. CAMERON: Mr. Stephens would have the original .

Q. The impression copy? A. I don't know. Every letter I wrote was supposed to be copied in the letter book.

Q. Will you find that in your letter book? A. I don't know whether I can or not. I tried to be fair with you. (Looks at letter book.) Sometimes they might not have been copied. I didn't copy them myself, you know. It don't seem to be in that.

Q. You don't find it in the letter book at all? A. It don't seem to be in this. Sometimes these letters get copied in the wrong book. It may possibly be in there somewhere, but I wouldn't say because I didn't do it myself.

Q. It is not in the letter book that you have handed over? A. No, it is not in the place where it should be. Sometimes they copy a few of the letters in the wrong book.

Q. You received an application from Mr. Hill, of Spokane, for a position as engineer. On the 17th September, 1903, you wrote him in reply: "At the present time I have nothing which I could offer you, but it is possible "something may come up in a short time. I will keep your name before me "and advise you if an opening occurs." You wrote that in reply? A. Yes.

Q. You also received a letter from Mr. Wegener, of Seattle, Washington, asking for employment?

Mr. CAMERON: There was some reference to that before.

Q. Then you replied to him on the 25th September and in your reply you wrote "I beg to say that your application will be placed on file and your-"self kept in mind. If any opening presents itself I will be glad to avail "myself of your services. The work now in progress is exploration work and "I would judge that you wish construction work which we will not begin "for some time." That was your letter in answer to his application? A. Yes.

Q Then Mr. O'Neil—I think there were one or two communications from him? A. Oh, yes, he wrote me several letters.

Q. He is from Washington State, an engineer there? A. Yes. I was thinking of the other. I remember this one.

Q. On September 30th, 1903, you write to him: "I beg to acknowledge "receipt of yours of the 12th inst., and I will be glad to do anything I can "for you in case you do not succeed in getting anything on the Pacific division "of the G. T. P. Railway. It may be possible I may need an assistant "engineer west of Edmonton in about the course of another month. If you "will keep me posted as to your whereabouts I will be glad to notify you if "any such vacancy arises." A. Yes. I wrote that.

Q. Was there a Pacific division of the G. T. P. then? A. Yes.

Q. Who had charge of it at that time? A. Mr. Van Arsdol.

Q. You were expecting a vacancy in about a month from that time? A. Yes. I didn't give him the position.

Q. Then on the 5th October, a few days after writing to Mr. O'Neil, you wrote to Mr. McNeil, district engineer at Edmonton? A. Yes.

Q. "Answering your favor of the 27th ult, regarding D. D. Sprague, "of Havre, Mon., I think I will be able to place Mr. Sprague in a short time "as I am wiring him to take charge of Mr. Wm. Mann's party near York-"ton."? A. Yes,. We didn't employ him either.

Q. He was employed? A. I think he was out west.

Q. He is still in the service, in charge of party No. 18? A. Yes. I didn't employ him though.

Q. Isn't your brother with him? A. I think he is with 18.

Q. Your brother Douglas is with Mr. Sprague? A. I think probably he is.

Q. On the 3rd October you wrote to Mr. Walsh, of Ottawa, Mr. McConnell, of Toronto, and Mr. Osborne, of Hamilton, offering them positions at $150 a month as locating engineers? A. Yes.

Q. Did you appoint any of them? A. I don't think I did.

Q. "Will you accept a position at $150 a month and expenses after "arriving in Winnipeg?", the three of them all the same letter?

Mr. CAMERON: Meant for the same position? A. I think that was meant for the same position.

Q. October 3rd? A. I think if I remember that is the way I did sometimes.

Q. Why did you not employ any of these men for the position? A. Two or three of them I didn't get an answer from.

Mr. CAMERON: Q. Who were the ones you didn't receive any answers from? A. I think I have that marked.

By THE COMMISSIONER: Q. You have it marked here McConnell and Osborne? A. McConnell I have "no answer" and Osborne "no answer." I remember that.

Q. Then Mr. A. C. Eddy, of North Dakota applied for a position as engineer on November 9th, 1903. Do you remember that? A. Yes.

Q. You received that letter of the 9th November, 1903, and answered him about the 12th November. The letter does not seem to have been dated? A. I see "answered on the 11th" here.

Q. You say "I beg to say it is rather early to talk of construction, as "we are simply running exploration and preliminary lines. I will place your name on file however and later on when construction begins will keep "you in mind." He was mentioned as at Grand View, North Dakota? A. Granville.

Q. Then you received an application from Mr. Howes of Iowa, dated the same date, 9th November, and answered him on the 12th November? A. Yes.

Q. "Answering yours of the 9th inst., regarding position as resident "engineer on construction work would say it is rather early to talk of con- "struction as we are simply running exploration and preliminary lines. I "will place your name on file and later on when construction begins will "keep you in mind."? A. Yes.

Q. Then on the 17th November you write to Mr. Pearl, of Spokane, Washington, who had applied for the position of transitman or assistant engineer? A. Yes.

Q. You say "I beg to acknowledge receipt of your favor of the 13th "inst., making application for position as transitman or assistant engineer. "I am sorry that at present there is nothing I can offer you but have placed "your name on file and will perhaps be able to use you later on as there will "be a great deal of work going on in the spring."? A. Yes. I wrote that.

Q. Again on the 30th October, 1903, referring to Mr. O'Neil, you wrote to him to Washington State: "I beg to acknowledge receipt of your "favor of the 24th inst. Replying to same will say that salaries of assistant "engineers vary from $150 to $175 per month, according to their ability. "At present we are not sending out any more parties for the winter but ex- "pect to send out three or four more between this and the spring. I will be "glad to let you know if anything comes up so that I can give you a position "if you wish it"? A. Yes.

Q. On the same day you wrote to Mr. Patuck, who was with Mr. Stew- art on party No. 13? A. I believe he was, yes.

Q. As what? Transitman? A. Transitman. I believe he was first transitman.

Q. You wrote him on that date, "I beg to acknowledge receipt of your "favor of the 18th inst., regarding promotion to assistant engineer. I am "very sorry there is nothing at present I can offer you as there will be no "more parties sent out for quite a while. I will, however, keep you in mind "and if your work is satisfactory with Mr. Stewart I will be glad to give you "a better position when an opportunity presents itself"? A. Yes.

Q. You didn't appoint Mr. Patuck to any position? A. No, I don't think he was capable of filling the position of assistant engineer.

Q. But Mr. Sprague was appointed? A. I understand he was, yes, but I didn't appoint him.

Q. True. I suppose you communicate with divisional engineers as to applications? A. Yes, sir.

Q. You send applications that you received to other divisional engi- neers and other divisional engineers send applications they receive to you? A. Not always.

Q. You have done that? A. We have done that some time.

Q. And Mr. Stephens or the head office in Montreal sends applications to the three divisional engineers? A. Yes.

Q. Do you remember receiving an application from Mr. McLean, of Calgary, of the 23rd November, 1903? A. That don't look like my "an- swer" on that; I might not have seen that.

Q. He did not receive any position to your knowledge? A. Not that I know of.

Q. On the 28th March, 1904, you wrote to Mr. Scoville, of Chicago? A. Yes, that is mine.

Q. "I beg to acknowledge receipt of your favor of the 23rd inst., mak- "ing application as assistant engineer on the Grand Trunk Pacific. I notice

"that you have several good recommendations and should anything develop "in the future whereby I can use your services I will keep you in mind."

Q. Do you remember receiving a letter from Mr. Sydney C. Ells, Ottawa, asking for a position as transitman? A. Yes, I answered that.

Q. Dated 2nd October, 1903: "I beg to acknowledge receipt of your "favor of the 2nd inst., making application for position on the Grand Trunk "know." A. Yes.

Q. Did you ever let him know? A. I don't remember ever writing to him.

Q. A vacancy did occur since then, did it not? A. Yes. There is some nearer home and I tried to fill them with local men whenever I could.

Q. This gentleman has considerable experience, from his letter. I will read it so that you can see. It is dated October 2nd, 1903. It is addressed to you as divisional engineer and reads: "In looking for instrumental "work on the G. T. P. survey being put through at present I have been ad- "vised to write you re the matter. I may say I sent in an application to "Mr. J. R. Stephens same days ago, but he knew of no openings at that "time. I have spent some eight or nine seasons on survey work, geological, "exploratory and railroad and also had charge of one of Mr. Clergue's "northern parties in 1901. I thus consider I have a pretty good idea of "camping, winter or summer. I have also just completed the third year "surveys course at McGill University, Montreal. . . . . And can look "after transit or level. As regards references I think L. R. Orde, Esquire, "is the only person in your vicinity under whom I have been. At that time, "1901, trial, preliminary and occasional lines were run for the Great North- "ern Railroad, Quebec. Should there be any opening in your party or should "you know of any such on any other of the parties engaged in the work I "should be very glad if you could let me know. Should you desire refer- "ences I can forward same. Meanwhile, believe me, sir, yours truly, Sydney "C. Ells." A. Yes.

Q. Did you enquire from Mr. Orde as to this young man's ability? A. I never did.

Q. Mr. Orde is one of your assistants? A. Yes. Since that letter was written we have only sent one party out, No. 10, I believe.

Q. Who was that? A. Party No. 10 I think, Mr. Kelliher. There have only been one or two vacancies since that.

Q. And they have not been filled by Mr. Ells? A. No, sir. There were some other names besides Mr. Ells, though.

Q. Mr. C. H. Morse applied also for a position as transitman? A. He is working on the Canadian Northern.

Q. He applied on August 16th, 1903, while he was on the Canadian Northern for a position as transitman on this work. A. I always think when a man has a position it would be better to give it to some one that did not have it.

Q. That was very logical? A. And I always considered that would be the better thing to do.

Q. Mr. Morse has written you two or three times for a position? A. Yes. He went home last winter. We had a talk before he went home and he said he didn't want any for the winter.

Q. On the 8th December you wrote him in reply to his letter of the 3rd: "Yours of the 3rd inst. to hand. In reply I beg to say there is nothing in "the way of transit work I could offer you as the parties are all filled up and "we will not be sending out any more men until spring. I will place your "name on file and keep you in mind when it comes up." He lived in Niagara Falls, Ontario? A. I think so. At least, he went there to spend the winter.

Q. Then you received an application from Mr. A. T. Mitchell, of Washington State, in January, 1904? A. Yes.

Q. You replied, "There will no doubt be considerable engineering work "as soon as spring opens. I will place your name on file and if a vacancy "occurs where we can use you we will correspond with you."? A. I never corresponded with him.

Q. Never corresponded with him? A. I don't think so after that.

Q. Also a young man named John Scott from Battleford, Saskatoon, 29th November, 1903? A. I don't think I answered that.

Q. Oh, yes, you did. Your well known signature is there? A. Yes, that is so. I didn't mark it "answered."

Q. No, there was an answer made to that. "Am desirous of getting on "your staff. Am at present engaged as transitman on the Canadian Northern "surveys and have been since last winter in that capacity"; and then he continues on and he says he is acquainted with Mr. Armstrong and Mr. Stewart of the engineering force? A. Usually we didn't like to take men that were engaged on another road; that was our feeling.

Q. You replied to him on the 28th January as follows: "Answering "yours of the 17th inst., I beg to say that there is nothing at present I can "offer you as the parties are all filled up and it would not be worth your while "to come into Winnipeg for this purpose." Did you always acknowledge letters that were received by you? A. Personally myself.

Q. Did you or your clerk? A. It was a custom to answer every letter; that is what I instructed to do.

Q. There is a letter from Mr. George M. Kent, of Montreal, 17th December, 1903, asking for position as transitman? A. I see I made a note on that.

Q. Did you answer that? A. Mr. Allan did.

Q. By your direction? A. The usual answer.

Q. He writes, "Have you any vacancies for a transitman on your div- "ision of the G. T. P.? I have been transitman on maintenance at North "Bay and our work is completed for the year. I called on Mr. Knowlton, "but he has nothing for me at present and advised me to write to you. Can "give good references from the C. P. R. and elsewhere if desired. Kindly "inform me if you have any vacancy for me. If not put my name on your "application list. Yours truly, George M. Kent." You wrote to Mr. Kent on the 22nd December: "Replying to yours of the 17th inst., enquiring for vacancy for transitman, would say there is nothing open at present but have "placed your name on file and if anything turns up will let you know."? A. Yes.

Q. Nothing has turned up since then? A. No, there is nothing. As I say only one party has been sent out since then—one full party.

Q. And that was made up by Mr. Kelliher? A. I sent a transitman on it, Mr. Bull.

Q. Anybody else? A. Yes, but I think the most of the first party was made up in my office.

By Mr. CAMERON: Q. Are you referring to party No. 10? A. Yes. Mr. Kelliher filled it out afterwards.

By THE COMMISSIONER: Q. Did you receive an application from Francis R. Johnston, member of the Institute of Civil Engineers? A. Yes, I received that.

Q. Did you answer that? A. I don't know whether I did or not.

Q. I can't find any answer in the letter book. You have no memorandum on the application showing it was answered? A. No.

Q. You merely put "Filed, G. A. K."? A. I don't know whether I answered that or not.

Q. What institute was he a member of? A. Institute of Civil Engineers of—I can't make that out.

Mr. MOWAT: Member of the Institute of Civil Engineers and Member of the American Society of Civil Engineers.

THE COMMISSIONER: He seems to have great experience of work from his circular.

Mr. MOWAT: He is a well known man.

WITNESS: His experience seems to be in some other country, Scotland, South America and India.

Q. You didn't acknowledge the receipt of it apparently from the letter book? A. Probably I didn't, but it was my intention to answer the letter.

By Mr. MOWAT: Q. I am going to ask you to read that letter to Mr. Raymond Heckman? A. (Witness reads letter to himself.)

Q. That is pretty severe. You meant to make very plain to him that you thought an amendment in this respect was necessary? A. Yes.

Q. You wanted to make it very plain to him he was not doing exactly the right thing. That is on the 24th March, 1904. I am not reading the letter. I don't want to read exactly what you said to this gentleman but I have no doubt you will say that that had something to do with his being relieved later on? A. Well, as I stated in court before, Mr. Mowat, he was only in charge of the party temporarily, that was understood, and although he did very good work while he was out there, still—

Q. In some respects apparently he didn't meet with your satisfaction.

In answer to Mr. F. T. Robertson, chief engineer of the Montana Railway Company, Montana, you write on March 24th: "I beg to acknowledge "receipt of yours of the 20th recommending four good men. I am sorry "that at present there is nothing I can offer these men as the parties are all "complete and the only chance of employment is when some one quits. I "will, however, keep these men in mind should any vacancies occur. There "will no doubt be considerable work in the spring." You wrote that letter? A. Yes.

Q. On the 24th March you wrote to Mr. L. C. Hall, Seattle: "I beg "to acknowledge receipt of yours of the 17th, making application for position "on the G. T. P. I am sorry to say that at present there is nothing I can "offer you in my division as the parties are all complete and the only chance "is when some one quits. I will place your name on file and keep you in "mind."

On the 12th April this year you wrote to Mr. F. N. Kean, chief of Students' Aid Department, International School, Scranton, Penn.: "I have "just received yours of the 29th ult, regarding Mr. D. Ryan, of Winnipeg. "He has called on me personally and made application for position on the "G. T. P., and judging from what you say in regard to his experience and "ability, he would make a good man. At present there is nothing I can "offer him as all the parties are complete and the only chance now is when "some one resigns."

A letter to J. T. Kenny, Minneapolis: "I beg to acknowledge receipt of "your letter of the 29th addressed to W. J. Hunter, which has been referred "to me." Who is Mr. Hunter? A. I think he is the Grand Trunk Commercial Agent here.

Q. "I am sorry to say I cannot offer you anything in the way of a "position to your friend at present, but would recommend him writing to Mr. "Van Arsdol or Mr. Knowlton." This is dated 2nd April.

A letter on the same date to Mr. Elmer Nelson, Minneapolis, acknowledging his letter of application and saying: "You surely had a very good "experience on the Columbia River and Northern Railway: I am very sorry "at present there is nothing I can offer you as all the parties are complete "and I don't expect to send out any new parties for some time. Construction "work will not probably begin until late in the year. I will, however, keep "you in mind and should any vacancy occur shall correspond with you."

I suppose when construction work did begin there would have been a considerable number more vacancies? A. Very likely.

Q. That was what you intended to convey? A. Yes.

Q. A letter of the 5th April to G. R. Young, Eauclaire, Wisconsin: "Answering yours of the 31st, I am sorry to say that there is nothing I can "offer you at present as all the parties are filled and besides we are not bring-"ing any more men over the line than is absolutely necessary." At this time this agitation which we are now discussing became somewhat acute? A. Yes.

Q. That is the reason you wrote that letter? A. Yes.

Q. On the same date you wrote to Mr. F. C. Pearl, Spokane: "An-"swering yours of the 29th regarding position, I am sorry to say there is "nothing I can offer you at present and besides there has been an embargo "put on importing engineers from the United States. However, if anything "should develop in the future whereby your services can be used will corre-"spond with you."

A letter to J. R. Sluack, Superior, Wisconsin ,answering his letter of the 3rd: "At present there has been nothing I could offer you on my div-"ision. It has recently been decided not to employ any more men from the "United States than is absolutely necessary, so I am afraid I will not be "able to do anything for you."

Then we must infer that the men who were employed from the United States after this time were, in your opinion, absolutely necessary? A. Well, the men I employed. There are quite a number on my division I didn't employ.

Q. You didn't mean to write something that was not true? A. No.

Q. Therefore that the men who did come in afterwards were absolutely necessary? A. Yes.

Q. A letter to A. C. O'Neil, Vancouver, Washington Territory, "An-"swering yours of the 30th I beg to say I do not know whether or not the "Grand Trunk Pacific have decided that no more American engineers are to "be employed on the road. The transporting of Americans has been agitated "considerably in this country and I do not know how the matter will be "settled. We are at present giving the Canadians the preference and I do "not think your being on the ground would make any difference as you would "have to be classed as an American." Have you come to any different conclusion recently? A. Can I explain? I think that letter is plain enough.

Q. A letter of the same date, April 7th, to G. W. Raymond, Sheridan, Montana: "Your letter of the 30th to hand and will say in answer I do not "know of anything at present that I could give you and it would not make "any difference if you were in Winnipeg as the parties are all filled and the "only chance is when some one quits. However, if you are in Winnipeg I "would advise you to call at my office and if there is anything I can do for "you I will be glad to do it." Why do you make a distinction in your replies to O'Neil's letter and Raymond's letter in Montana? You leave out the statement regarding the policy with reference to Americans and you tell Raymond that if he is in Winnipeg and calls you will do what you can for

him. Did you know either of them? A. I don't know that I had any idea at all. I never saw Mr. Raymond before.

Q. But you did know Mr. O'Neil? A. I did know Mr. O'Neil. I didn't have any particular distinction only I probably didn't take the trouble to add that.

Q. When a man sits down on the same day to write a letter of the same character he usually writes a similar letter? A. Not necessarily.

Q. I ask for the reason? A. I had to write a good many of those letters and I didn't probably take as much time as I should. I didn't suppose they were going to be criticised as much as they are.

Q. This is not criticism, this is friendly comment. You wrote a letter on the 12th April to Mr. Heckman introducing Mr. W. E. Grim who was to be employed as rodman, as per Mr. Heckman's request. Who was he? A. Mr. Grim was a man that had been previously employed out, I think, with Mr. Stewart and became lame and came into the office and I wanted to employ him again.

Q. You knew him? A. He is a Canadian, I think.

Q. You didn't know him previously in the States? A. Oh, no; he is a Canadian I think. His knee became sore.

Q. You wrote a letter on the 12th April to Mariott Price, Baltimore, Maryland: "Answering yours of the 28th making application for position, "I am sorry to say at present there is nothing on my division I can offer you "as all the parties are filled and besides there has been quite a little objection "made to transporting Americans this side of the line."

A letter of the 12th, the same date to Mr. G. E. Bushnell, Hudson, Wisconsin: "Answering yours of the 9th, I am sorry to say there is nothing "on my division I could offer you, as all the parties have been filled, and be-"sides there has been quite a little objection made to transporting Americans "this side of the line."

A letter in the same wording to Mr. Coons, St. Paul; also P. K. Pultze and J. B. Walsh and R. W. Sweet, Seattle.

I notice that on the 28th March of this year you wrote to Mr. Nutting, who was then in charge of what party? A. No. 6.

Q. "I beg to acknowledge receipt of your favor of the 15th stating "you will probably come out on the 1st April. I suppose that you are get-"ting tired of the life you have lived for the last year. It is truly a pretty "hard life figuring with icles and aurora borealis. I don't blame you for "getting tired especially when your family is getting dissatisfied." Was Mr. Nutting complaining about the hard life? A. No, nothing particularly except being away from his family.

Q. This was calculated to have rather a chilling effect on Mr. Nutting. One would have thought you would have encouraged him to keep to his work? A. Well, it was not my intention to encourage him particularly.

Q. You seem to have a pretty clear idea of the hardship of this Canadian climate of ours? A. Oh, I think I do. I have been up here before several times—spent a winter here or two.

Re-examined by THE COMMISSIONER: Q. There is just one letter here from Mr. Purdy, Copperclife, asking for a position as transitman: "Dear "Sir,—I would beg to ask you if you have any vacancy in the survey parties "of the G. T. P. Railway. I am very eager to get on one of these parties "and would prefer a position as transitman. I have taken a full course of "training in surveying and draughting in Kingston School of Mines, together "with a good deal of mathematics and some engineering. I understand the "use of and can use any instrument on the survey. I have handled the "transit on one mine survey and some little field work.

"I am at present with the Canadian Copper Company, but would like "to go into railroad work. I am twenty-five years of age, strong, and well "able to stand the roughing it and I think if you can give me the above or "any other position you will find it filled satisfactorily. Yours respectfully, "G. M. Purdy." You received that, do you remember, Mr. Kyle? A. Yes; it was filed under "transitmen."

Q. There was an answer to Mr. Purdy sent on the 6th February, 1904? A. That is not marked on there.

Q. "I beg to acknowledge receipt of your favor of recent date making "application for a position on the G. T. P. Railway. I am sorry to say that "at present there are no vacancies in any of our survey parties, but I have "placed your name on file and will correspond with you later on if an opening "should occur." That is the reply? A. Yes.

Q. I want you to give me a statement of the names of all Canadians or British applications for the position of engineer, transitman, draughtsman or leveller.

Mr. CAMERON: You don't care about topographer?

THE COMMISSIONER: I don't care about them.

Q. Mr. Eggo stated yesterday he had not gone through the letter book; had only gone through the files? A. Yes.

Q. I wish you would go through the letter books and files and give me a statement? A. Do you mean just the names or copies of the letters?

Q. Oh, no, just the names? A. The names and the dates.

Q. The names and dates and the position? A. I probably could do it this afternoon.

Q. Do you remember correspondence with Mr. Houghton?

Mr. MOWAT: He is a transitman from Calgary. A. Yes, I remember that.

Q. Will you look at the correspondence and see whether it is such as came to your hands? A. Yes.

Q. I put in the correspondence relating to the appointment of Mr. Houghton and his recommendations? A. Yes.

Q. He was appointed by you as transitman to party No. 14, was it? A. The party under Mr. Hislop.

Q. Did you find him a capable man? A. Well, I turned the party over shortly after to Mr. Van Arsdol, transferred him to Mr. Van Arsdol, and I really didn't have much chance to find out his capabilities, but I understood he is a very fair man.

Q. What is your practice in case a transitman wishes to leave for a week or so? Is it to keep his place open if he has been a capable man? A. O, yes, if we possibly can. I let some men in the party take the level and some others take the transit, and so on.

Q. That is your practice? A. Yes.

12.40 o'clock, p. m., adjourned to 2.30 o'clock, p. m.

2.45 p. m. Commission resumed.

THE COMMISSIONER: I have a couple more witnesses on the subject we were talking about this morning and I have asked them to wait till to-morrow morning so that Mr. Stephens could arrive, so that we will proceed with them to-morrow morning in Mr. Stephens' presence; if he is not present we will proceed without him and then commence at North Bay on Monday at 10 o'clock.

Mr. Griffith reports that Mr. Winckler, whom he was asked to bring as a witness, is ill.

GEORGE L. GRIFFITH, recalled.

By Mr. CAMERON: Q. I wish to read this letter in full because my learned friend read it in part only. It is as follows: "Winnipeg, Dec. 4, "1903. Mr. G. L. Griffith, Assistant Engineer, Dinorwic, Ont. Dear "Sir,—I beg to acknowledge report dated November 23rd, also monthly pay "roll and inventory. The map you mention has been received. I have not "received any maps from Ottawa as you suggest might be the case. I will "send you blue print of the tracing which you have sent in of the country "in the vicinity of Lac Suel which you will likely need.

"I again want to call your attention to the fact that we do not want to "make an instrumental survey of the country, and that all that is expected of you is simply to look over the country using the existing maps for show- "ing the approximate location of the line. It should not take you over a "month to complete your part of the work in this manner. As you know Mr. "Mann is making the same kind of a report on the north end of the Winnipeg "River, and you will have to be on the look out for him so as not to overlap "his work.

"Referring to the matter of alignment it is only necessary to estimate "the degrees of curvature per mile, and under no consideration will it be "necessary to run any lines. You are simply expected to give us a general "description of the country and the timber, soil, etc., which should not take "any great length of time.

"The reports that you are sending in are practically worthless for rail- "road purposes. They may be very good from a Government report stand- "point, but it is not the kind of report we wish. Yours truly, (Signed) G. A. "Kyle, Division Engineer."

Q. The original, of which that is a copy, is a letter you received? A. Yes.

Q. Do you recall how many reports you sent in to Mr. Kyle? A. Only two. One I gave him on the 1st November and the other when the work was completed, to the best of my belief.

Q. That is about two later? A. Well, yes, two months later.

Q. And those reports are on file in the office here? A. I suppose so, sir.

Q. You have practised your profession not only in the Old Country but in this country? A. Before coming here?

Q. Yes? A. Yes.

Q. And in the United States as well? A. Well, not in the United States except in some little surveys in Minnesota.

Q. Whatever you did in Minnesota you had no difficulty in performing the work under the provisions of their laws as far as your experience went? A. I am quite familiar with the surveys there: I have made a special study.

Q. I only mean to your being prevented by any law from practising your profession there? A. Yes.

Q. In Minnesota in the case of these surveys you mention? A. Yes.

Q. In what respect? A. It would be necessary to be a United States citizen, but in the cases to which I refer it was on the southern border where they were unable to get any Minnesota land surveyor and of course Winnipeg was the nearest point.

Q. In the cases where you did actual work you were not required to take out naturalization papers or obtain a commission of any kind? A. The law states explicitly on that side that no municipal officer shall pay any man for any surveys whatever unless he be a citizen of the United States. He is responsible himself; he has to refund that money if a complaint is made by any person whatever.

Q. How was it that you did this work in Minnesota? A. This particular work I refer to was done for Messrs. MacKenzie and Mann; it was in connection with railroad purposes.

Q. But in the State of Minnesota? A. Yes.

Q. In those cases at any rate the law was not invoked against you, if there is such a law? A. No, not in that case.

Q. What I mean is in cases in which you actually did work you experienced no hardships under the local law, whatever it might be, in being prevented from working there—being cut off the work after you commenced? A. There would be hardship in this way, I suppose those grants went in more or less—

THE COMMISSIONER: Just answer the fact as to whether you were prevented from working. That is what Mr. Cameron asks. A. In that particular case, no.

Q. Or any other case in which you actually did the work? A. Not on that road, no.

Q. You were first in the employ of the Canadian Pacific Railway in this country? A. Yes.

Q. You have told us I think how long? A. Yes.

Q. How long since you left that employ? A. 1901, sir, I think to the best of my knowledge.

Q. In the year 1901? A. Yes.

Q. And you have not been re-employed since then, of course? A. I have never asked them for re-employment.

Q. Have they sought to employ you since that time? A. Oh, yes, I have had offers of employment upon more than one occasion.

Q. From the C. P. R.? A. Yes.

Q. From whom? A. On one occasion I was telephoned to by Mr. Woodman, division engineer, and my reply was then I was doing work for myself; I was doing private practice; I had some government surveys at the time and of course I was unable to accept.

Q. Was it Mr. Woodman who approached you? A. At this date I couldn't positively say whether it was Mr. Woodman or his assistant. It is some time ago.

Q. Who was Mr. Woodman's assistant? A. At that time particularly, Mr. Dawson was his assistant in the office.

Q. Any other occasion than that you mentioned on which the C. P. R. sought you? A. Yes.

Q. Just mention when it was? A. Yes, on another occasion also—

Mr. MOWAT: Is that Alexander Dawson?

Mr. CAMERON: No.

Q. What was the other occasion? A. Well, some time after that—some few months after that— but, of course, it became public knowledge that I was in private practice for myself so that they didn't send for me again.

Q. Did the second invitation emanate from Mr. Woodman or from his office? A. From the office—I wouldn't be positive about that.

Q. You don't know whether it was Mr. Woodman or not? A. No, I couldn't say at this date.

Q. Was there any third occasion? A. No; I don't remember only the twice.

Q. What was the nature of the employment in the first case? Were you made aware of that? A. Oh, assistant engineer, the same as I had been before.

Q. In connection with what part of the work on the road? A. I don't know: I didn't make any enquiries at all at that time.

Q. You didn't know precisely where it would be? A. No, sir?

Q. Or how long the employment might last? A. No.

Q. Or what its nature might be? A. No, sir, not at that time.

Q. Or what the remuneration for it might be? A. No, not at that time. They had a regular schedule, so of course I knew what the remuneration would be.

Q. On the second occasion were you made aware of the nature of the employment? A. No, I made no enquiries whatever.

Q. You didn't know what it was? A. No, sir, not at that time.

Q. Or how important or unimportant, for the matter of that, it might be? A. No, sir.

Q. You were in the employ of the Canadian Northern for a period of how long? A. I was with the Canadian Northern on those surveys that was all, something like about, probably three months or three and a half months; we made the right-of-way and drainage survey, that is all.

Q. In what part of the province? A. The south-eastern part of Manitoba and part of Minnesota.

Q. How long ago is that, that period of three months? A. That was immediately after I had left the C. P. R.

Q. 1901? A. Yes, I think the fall of 1901.

Q. Since then have you been in the employ of the Canadian Northern? A. No. I have been in private practice since that date.

Q. Have they actively sought your services in any way? A. Yes.

Q. On what occasions? A. Mr. McLeod, chief engineer, came after me himself upon one occasion, called at my house, but I was unable to accept the position.

Q. Did he state the nature of the work? A. Yes, he wanted me as assistant when he was appointed chief engineer.

Q. A permanent position? A. Yes.

Q. When was this? A. That would have been about the early part of 1902, I should say.

Q. You have done no work for them since the three months you have spoken of- A. No: I have had no necessity.

Q. What remuneration did Mr. McLeod offer you or did he make any statement as to that? A. No, I don't remember, sir. He came to my house in William Avenue and made the offer and of course I was at that time just commenced to do some work for the Dominion Government so that I was unable to go with him at the time.

Q. How long were you in the employ of the Dominion Government? A. Until the appropriations were exhausted.

Q. How many months would that be? A. I should say off and on about a year.

Q. During 1902? A. Yes, part of 1902 and part of 1903 also.

Q. And in 1903 your employment with the Dominion Government expired in what month? A. I think the work that we did in 1903 expired some time before Christmas. Mr. MacDonnell was in charge as chief engineer at that time and the appropriations were exhausted and the Government made no extra appropriations for the work.

Q. Since that period you have done nothing for the Dominion Government? A. Not since that date. I have been offered positions with them but I have not done anything for them.

Q. What positions were you offered since then? A. I was offered the position last year of surveyor to the Barr Colony, the position Mr. Turnbull has now, I believe, but at that particular time I was busy.

Q. You have also been in the employ of the Provincial Government? A. Y[illegible].

Q. At what time? A. That would be in the summer of 1902, I think.

Q. After you had been with the Dominion Government? A. No; I was with the Dominion Government in 1902 and 1903; there were the two occasions; they were two different appropriations altogether.

Q. When did your employment under the local Government cease? A. When my work was completed.

Q. That would be in what month and year? A. I think that was the end of September, 1902; I went out with Mr. MacDonnell the next month I know on the other Government work.

Q. You have not been in the employment of the Provincial Government since then? A. No, sir.

Q. Have you received any invitations from the local Government to enter their service again? A. Yes, indirectly I have been told that I could have a job if I needed it.

Q. But you didn't express any necessity for it? A. No, sir.

Q. You were in the employ of the city, were you not, at one time? A. Yes.

Q. Under Col. Ruttan or associated with him? A. Yes.

Q. When was this? A. That was in 1899 I believe, sir.

Q. The whole year? A. No. I was engaged on the water works distribution system, not associated with him on the general city works.

Q. That is on that particular works? A. Yes.

Q. Did Col. Ruttan and yourself agree pretty well? A. I am sorry to say we didn't.

Q. You left that employment with the city in the year 1899 you said? A. 1899.

Q. And have you done any work for Col. Ruttan or for the city of an engineering character since then? A. No, sir. I have been offered work indirectly.

Q. By whom? A. I was told by two or three of the aldermen different times if I needed employment to be sure and not let that stand in my way, because I resigned upon the previous occasion.

Q. Did Col. Ruttan ever express a desire to have you re-enter the city employ? A. No, I don't suppose he would because our fall out was of a rather serious nature. Not at that time. I don't think he thinks anything of it now, any more than I do.

Q. Did the indirect invitation you speak of to re-enter the provincial service emanate from anyone authorized to make you the tender? I don't want to enquire too closely into your personal affairs, of course, and you can answer that or not, just as you please? A. I think so. I thought that was authorized alright.

Q. That was not within the last year, was it? A. Yes, sir, within the last year.

Q. About what time would you say? A. Oh, I could not now, sir. It was some time last fall I know.

Q. In your original examination a good deal was stated by you about a camera, field glasses and a rope ladder? A. Yes.

Q. And you stated very positively the necessity of these articles in the work on which you were engaged? A. They were absolutely necessary.

Q. Were the other parties in similar portions of the territory similarly equipped? A. The Government parties always are.

Q. I am referring to these railway parties? A. I do not know.

Q. Your connection with the Grand Trunk Pacific ceased on the 24th February according to your evidence given before? A. Yes, sir, I think that was about the date—towards the end of February I know.

Mr. MOWAT: He said he drew pay till the end of the month.

Q. You parted apparently on friendly terms with the staff who were here? A. Oh, yes, I never had any trouble.

Q. You have been interested a good deal, have you not, in the preparation of the various documents which have been made up in connection with this matter? A. Well, I have, of course, naturally, I suppose.

Q. The petition to the Minister of Labor—there were such I suppose? A. The Minister of Railways.

Q. The Minister of Railways? A. I think so.

Q. That was compiled very largely by yourself? A. Oh, no, not largely my myself; in fact, I had very little to do with the actual compiling of it.

Q. You did the literary part? A. No.

Q. You got it into shape and got it finished? A. No, I am afraid not, sir.

Q. You have also naturally, I suppose, been somewhat interested in the progress of this commission? A. Well, I am, naturally, of course. We had so many men out of employment, I would naturally want the men to get employment.

Q. Of course you would not naturally exclude your own interest, either? A. Oh, no, sir, certainly not.

Q. Keep a strict eye on that? A. Just as much as every one else.

Q. And in the preparation of the evidence for this case of these proceedings you have lent some assistance, have you not? A. In what way do you mean, sir, in the preparation of the evidence?

Q. For instance, you have consulted, we will say, with Mr. Goddard? A. No, I don't think I had any consultation with Mr. Goddard at all.

Q. Neither directly nor indirectly? A. No, I don't think I have had any conversation about these proceedings with Mr. Goddard; that is giving him any advice or anything of that kind.

Q. You know him personally? A. Oh, yes, I know him personally.

Q. Did you ever know that he had or claimed to have some sort of a grievance? A. No, I did not. He certainly told me himself, if that is what you are meaning.

Q. Exactly? A. That he had some intention of coming to give evidence before the commission, but he didn't in any way consult me about that, neither did I give him any advice about the matter.

Q. Do you know Mr. Southern? (Mr. Southern stands up.) A. Just by sight .

Q. You have not had any consultation with him? A. Absolutely nothing at all, sir—absolutely nothing with any one.

Re-examined by Mr. MOWAT: Q. You have said Mr. Griffith that you have been as you say reasonably active in bringing this matter before the Government? A. Yes.

Q. I also infer from your answers that you do not consider any ignominy is to be attached to you for that activity? A. No.

Q. We have already had your statement about your having some hand in the preparation of the petition of the Dominion of Canada Institute of Amalgamated Engineering? A. Yes.

Q. I noticed at the time that that petition was not dated, but is this which you handed to me the acknowledgment by the Government of that petition? A. That is the acknowledgment, sir, of the second petition. I might tell you so that you will be quite clear on that, the first petition I think went to Sir Wilfrid Laurier and then we understood later on that the Minister of Railways was the proper gentleman to send the petition to.

Q. What time elapsed between the two petitions? A. Oh, perhaps a week I think.

Q. Then I would be right in saying that the first petition was sent in there in the beginning of March? A. Yes.

Q. Taking six days to go to Ottawa and back, and this letter of acknowledgment by the secretary of the department of Railways and Canals is dated March 25th? A. Yes.

Q. It has been stated here by Mr. Kyle when he was shown some of his letters saying that an agitation had arisen against employing further engineers from across the line, which letters were dated the beginning of April, I suppose it is to this agitation he refers as you understand it? A. Yes, sir.

Mr. CAMERON: I don't know that my learned friend is entitled to state that?

Mr. MOWAT: I am asking him.

Mr. CAMERON: You are putting the words right in his mouth. He does not know the facts Kyle was alluding to.

Mr. MOWAT: I think it is wise at this stage to put in the parliamentary papers referring to this matter as it has been brought up.

By THE COMMISSIONER: Q. Was the first petition the first thing done by you to bring the matter to the attention of the Government? A. Well, by us personally from this district. There had been some letters written to the Government in January by the Canadian Society of Civil Engineers. They passed a resolution at the general meeting at Montreal on the 26th January and letters were sent to each Cabinet Minister asking that Canadian engineers be employed on the Grand Trunk Trans-Continental survey.

Q. Have you got any copies of these letters? A. No, I have not.

By Mr. CAMERON: Q. You would not have anything to do with those emanating from the other society? A. Not officially, only indirectly; of course we are running together and we have full knowledge of what they do down there.

Q. By Mr. MOWAT: Q. I find that on the 7th April, 1904, you wrote to the Government as follows:

"Re Canadian Engineers:

"Sir,—We beg to invite your attention to the subtle and powerful alien "attack being made upon the professional skilled and manufacturing indus- "try of Canada in the hope, that you may be induced to exercise your influ- "ence in the direction of securing the passing of an amendment to the Grand "Trunk Pacific Railway Bill now before the House of Commons, Ottawa, "which will insure the appointment of Canadian Engineers of whom we have "a large number on our books out of employment and that as far as practic- "able only material, machinery, plant, supplies, and rolling stock manu- "factured or produced in Canada be used. Yours respectfully (Sgd.) Geo. L. "Griffith, Prov. Sec."

That is Provincial Secretary of the Amalgamated Society? A. Yes.

Q. Then I find a letter from the Minister of Labor dated April 11th. Is this the one you received? A. Yes, sir.

Q. That is an answer to the 7th. I will also read another one to which it is also an answer. I think perhaps there are two letters of the 7th: "We beg respectfully to call your attention to the employment of the following American aliens by the Grand Trunk Pacific Railway Company," etc., signed Geo. L. Griffith.

Then a letter of the 8th April, 1904, to the Minister of Labor:

"Sir,—We beg to call your attention to the employment of the following American aliens by the Grand Trunk Pacific Railway Company and to "respectfully ask that steps be taken for their deportation to the United "States as the employment by the Grand Trunk Pacific Railway Company of "only Americans has caused and is causing considerable suffering amongst "the families of a number of qualified Canadians out of employment.

"Employed east of Winnipeg:—

"Assistant Engineer Orde.

"Employed west of Winnipeg:—

"Raymond Heckman, engineer, Tacoma, Washington,

"Hicks, transitman, Ohio.

"Anderson, topographer, Seattle, Washington.

"I have the honor to be, sir, your obedient servant,

(Sgd.) "GEO. L. GRIFFITH."

WITNESS: I might say that was a clerical error made by the typewriter with reference to Mr. Orde, it should have had opposite that "The only Canadian east of Winnipeg."

Q. In answer to that you got the following letter:

"Office of the Minister of Labor.
"Ottawa, April 11th, 1904.

"My dear Sir,—I have your letters of the 7th and 8th inst., in further "reference to the charge that the Grand Trunk Pacific is employing aliens "in their work of surveys, etc., and I beg to say that the Government is "communicating with the company in regard to the subject.

"Prior to the receipt of your letter of the 7th inst., the company had "written the Premier in answer to previous charges, giving a very general "denial to the statements in regard to the employment of engineers, but their "answer does not harmonize with the statements contained in your letter of "the 2nd inst., and the question is now a subject of correspondence.

"I wrote you on the 8th inst., pointing out that it was open to anyone to "bring an action against the company for infractions of the law, and as "separate actions can be maintained for each alleged infraction, this course "will probably prove effective in enforcing compliance with its provisions.

"Yours faithfully,

(Sgd.) "W. MULOCK,
"Minister of Labor."

"Geo. L. Griffith, Esq.,
"Prov. Sec., Dom. Institute of Amalgamated Engineering,
"14. Bank of Hamilton Chambers,
"Winnipeg, Manitoba."

Then a letter of April 8th, 1904, as follows:

"Dear Sir,—I have your letter of the 2nd inst., calling the attention "of the Department to employment by Grand Trunk Railway of certain "American aliens, and asking that steps be taken for their deportation to "the United States. It does not appear from your letter that the persons "in question were brought into this country under contract in contravention "of the Alien Labour Act. Under that Act as originally passed it was re-"served to the Government to bring actions because of infractions of its "provisions, but at the request of representatives of labour the Act was "amended by taking away this authority from the Government and leaving it "open to any person to invoke the aid of the court for an alleged violation "of the provisions of the Act. Since this amendment several actions have

"been successfully maintained, and a judgment in such a case would be "accepted as conclusive that the Act has been contravened, and would give "the Government jurisdiction to deport.

"If, therefore, in the cases in question you will follow the course marked "out by the amended Act and secure convictions, the Government will there- "upon direct deportation.

"Yours sincerely,
(Sgd.) "WM. MULOCK.

"George L. Griffith, Esq.,
"Prov. Sec., Dom. Inst. Amal. Engineering,
"Winnipeg, Manitoba."

You wrote to he Miniser of Labour on the 4th May, as follows:

"Sir,—I beg to acknowledge the receipt of your communication of April "26h, enclosing copy of letter forwarded by you to C. M. Hays, Esq., man- "ager Grand Trunk Pacific, and also copy of a letter dated April 19th to Mr. "Wainwright, comptroller Grand Trunk Pacific Railway. The executive "of the Institute of Amalgamated Engineering desire me to express their "appreciation of the attention of the Government to the subject in question "re Alien Engineers on the above railway.

"The executive consider it advisable to inform your Government that "we have a further list of twenty (20) engineers and assistants employed on "the Grand Trunk Pacific which we had intended forwarding to you at once, "but we think it wise to wait a little while and see what steps have been "taken by Mr. Hays to remove ground of complaint.

"In addition to the above we have received to-day a further list of fif- "teen (15) names of men who have been brought over from the States lately.

"I would also say that this is becoming a very serious matter to Cana- "dian engineers and British subjects. A large number of our men are out "of employment and have been for months expecting to get something to "do on the Grand Trunk Pacific Railway. You can imagine their feelings "when they see day after day aliens brought over here unable through in- "competence and inexperience to carry out the work they are called upon to "do and paid large salaries in addition, while our own men are actually starv- "ing for want of employment.

"Mr. H. Talbot Crosbie, a qualified first-class British engineer has been "quite unable to get any employment and has been in my office this morning "and begged me to help him sell his engineering instruments so that he might "get sufficient funds to return to Great Britain or at least to New Brunswick "where he thinks he might be able to get temporary employment with some "friends,

"I have the honor to be, sir, your obedient servant,

(Sgd.) "GEO. L. GRIFFITH,
"Prov. Sec., D. I. A. E."

Then I read the letter from the Minister of Labour to Mr. G. L. Griffith dated April 26th, 1904, enclosing a copy of the Minister's letter to Mr. Hays, as follows: "Dear Sir,—The Honourable Mr. Emmerson, Minister of Rail- "ways, has transmitted to me your communication of the 18th inst., and I "beg to enclose for your information, copy of a letter on the subject in ques- "tion, which I have to-day forwarded to Mr. Hays, general manager of the "Grand Trunk Railway.

"Yours faithfully,
(Sgd.) "WM. MULOCK.
"Minister of Labour."

"Geo. L. Griffith, Esq.,
"Sec., Dom. Inst. of Amal. Engineering,
"Winnipeg, Man."

Q. That is the one you received? A. Yes, sir.

Q. Did you consult with other members of this society before you wrote these letters? A. Yes. I am only a unit.

Mr. MOWAT: The copy of the Minister's letter to Mr. Hays which was enclosed is as follows:

"Dear Sir,—As you are aware, various complaints have been made to the "Premier, the Minister of Railways and myself, as Minister of Labour, that "aliens from the United States are being employed on the Grand Trunk "Pacific surveys, to the exclusion of Canadian citizens. From time to time "the various Ministers have brought these complaints to the attention of "your company, and have made known to the representatives of the com-"plainants the explanations and denials of your company. These explana-"tions and denials have not been accepted as satisfactory, and the matter in "the judgment of the Government, is one of such serious importance as to "demand prompt and satisfactory treatment. The various Ministers who "have heretofore been communicated with on the subject, and the Govern-"ment as a whole, have requested me as Minister of Labour, to take up the "matter, and I therefore do so in the earnest hope that your company will "at once remove all ground of complaint.

"I enclose extracts from a communication dated the 18th inst., from "Mr. George L. Griffith, secretary of the Dominion Institute of Amalgamat-"ed Engineering for Manitoba, the North-West Territories and British Col-"umbia, specifically charging the Grand Trunk with violations of the Alien "Labour Act. You will observe that in this connection Mr. Griffith states "that the following employees are American citizens:—

"G. A. Kyle, divisional engineer; residence: 1320 North Yakima Ave., "Tacoma, Wash.

"G. M. Kyle, engineer, (brother of G. A. Kyle); residence, 1320 North "Yakima Ave., Tacoma, Wash.

"— Allan, office engineer; residence, St. Paul, Minnesota. (A relative "of G. A. Kyle, or J. R. Stephens.)

"— Kellar, engineer; residence, Cleveland, Ohio.

"J. Heaman, engineer; residence, Oklahoma.

"Raymond Heckman, engineer; residence, Tacoma, Washington. "(Nephew of G. A. Kyle.)

"William Meyers, engineer; residence, Portland, Oregon.

"— Nutting, locating engineer; residence, —

"W. Mason, draughtsman; residence, —

"M. H. Goodman, draughtsman, (now transferred to Grand Trunk Paci-"fic office, Montreal.)

"— Van. Arsdaile, divisional engineer; residence, Portland, Oregon.

"— McNeil, district engineer; residence, Indiana.

"R. W. Jones, engineer; residence, St. Paul, Minnesota.

"— Hare, engineer; residence, Wisconsin.

"Wm. Mann, Sr., engineer; residence, 1215 Stopple St., Cincinnati, "Ohio.

"W. Mann, Jr., engineer; residence, 1215 Stopple St., Cincinnati, "Ohio.

"— Hicks, transitman; residence, Tacoma, Washington.

"— Anderson, topographer; residence, Seattle, Washington.

"Mr. Griffith also charges that Mr. J. R. Stephens, assistant chief en-"gineer of the Grand Trunk Pacific, and Mr. Burt, chief superintendent of "construction, are American citizens.

"A communication (as yet unanswered) which I sent to Mr. Wainwright "on the 19th inst., a copy of which I herewith enclose, sets forth a list of "fifteen persons stated to be American citizens, in the service of the Grand "Trunk Pacific. I may say that most of these are included in the list men-"tioned in the accompanying extracts, but the following are not, namely:

"Mr. Nutting, locating engineer.

"W. Mann, Sr., of Cincinnati.

"W. Mann, Jr., of Cincinnati.

"You will observe that the Institute asks for a commission to enquire "into the facts, and if there be any dispute as to whether there has been a "substantial disregard of the provisions of the law, it would seem reason-"able that some such tribunal be appointed to enquire into the facts, and "thus to lay the foundations for the enforcement of the law.

"I would ask you, at the earliest possible moment, to furnish to me a "statement showing the names, nationality, and place of residence of the "various persons from time to time employed, down to the present, by the "Grand Trunk Pacific or by the Grand Trunk in connection with the Grand "Trunk Pacific surveys; also a list of all applications of Canadians for em-"ployment in connection with the Grand Trunk Pacific surveys, such state-"ments showing a list of Canadian applicants refused employment, and those "to whom the same has been granted.

"I would be obliged to receive an answer to this communication at the "earliest possible moment.

"Yours truly,

(Sgd.) "WM. MULOCK,

"Minister of Labour.

"Chas. M. Hays, Esq.,

"General Manager, G. T. P.,

"Montreal, Que."

Q. Did you get this letter from the Minister dated 7th May? A. Yes.

Q. Was this a copy of the letter enclosed that was written to Mr. Hays? A. Yes. I want to say before that letter Mr. Hays denied that there were any Americans at all on the work.

Mr. MOWAT: The letter from the Minister of the 7th May is as follows:

"Dear Sir,—I am to-day in receipt of your letter of the 4th inst., where-"in you state that your executive has received a further list of twenty engi-"neers and assistants employed on the G. T. P., and also have a further list "of fifteen names of men brought from the United States lately, and I at "once telegraphed you asking for the names.

"You also state in your letter that Mr. H. Talbot Crosbie, a qualified "first-class British engineer, has been quite unable to obtain employment. "You do not mention whether he has applied to the Grand Trunk, perhaps "you will inform me on this point.

"I wrote Mr. Hays, general manager of the Grand Trunk Railway, on "the 3rd inst., on the subject of the employment of aliens and I now enclose "a copy of this letter. To-day I received an acknowledgment from the "company stating that Mr. Hays is absent in the west, but is expected to "return to Montreal towards the middle or latter part of next week, when "my communication would receive his personal consideration.

"I am writing the company again upon the subject, calling attention "to your last statements with reference to the twenty and fifteen persons "above mentioned, but, as you will readily see, it is necessary that I should

"know the names in order that I may be able to specifically name to the "Grand Trunk the actual cases and to have a categorical answer in respect "of each case, which is quite impossible with only a general statement that "twenty and fifteen aliens have come in.

"I am also asking the company whether or not Mr. H. Talbot Crosbie "applied for employment; if so, whether it was granted to him, and, if not, "the reason for the refusal.

"Yours faithfully,
(Sgd.) "WM. MULOCK,
"Minister of Labour.

"George L. Griffith, Esq.,
"Prov. Sec., D. I. A. E.,
"14, Bank of Hamilton Chambers,
"Winnipeg, Manitoba."

Q. The copy of the letter enclosed which is dated May 3rd is as follows:

"Dear Sir,—I have received your letter of the 29th ult., containing "copies of correspondence between yourself and the Premier, and yourself "and Mr. Griffith, on the subject of the employment of aliens to the exclu- "sion of Canadian citizens on the Grand Trunk Pacific surveys, dealt with in "my communication to you of the 26th ult.

"As mentioned in my letter of that date the Government has placed "this matter in my hands, and I would point out that the correspondence en- "closed with your communication does not afford a satisfactory reply to the "points dealt with in my letter of the 26th ult.

"In that letter I asked to be furnished with a statement showing the "names, nationality and place of residence of the various persons from time "to time employed down to the present, by the Grand Trunk Pacific or the "Grand Trunk, in connection with the Grand Trunk Pacific surveys; also a "list of all applications of Canadians for employment in connection with "the Grand Trunk Pacific surveys, such statement showing a list of Cana- "dian applicants, if any, refused employment, and those to whom the same "has been granted. I also set forth the names of eighteen persons in the "company's service at the present time, all of whom are alleged to be "American aliens.

"I have again to request that the statements asked for in my previous "letter be supplied at the earliest moment, and that in regard to the several "persons named, an explanation be given as to whether or not they are "American aliens, and if so, why, in each case, the appointment was made "to the exclusion, if such be the fact, of Canadian citizens.

"I notice in your letter to the Premier, that it is stated that a very "large percentage of the men employed on the Grand Trunk Pacific surveys "are Canadians, and that only a small percentage are Americans. In this "connection I beg to observe that it is not sufficient to show that a large "percentage of the employees are Canadians or British subjects, for in the "opinion of the Government, in no instance should aliens, not being actual "and bona fide residents of Canada, be employed to perform work on the "projected line, if possible to procure it being done by Canadians or bona "fide residents of Canada.

"I notice, also, that in the case of one or two Americans whose employ- "ment by the company is admitted, there is a statement indicating that they "were engaged at points in this country. Whilst the employment of aliens "by engagements entered into with them in this country may not technically "constitute an infraction of the Alien Labour Act, yet it is substantially a "disregard of the principle that the work, wherever possible ,should go to "British subjects, or to persons who are making Canada their home.

"The construction of the Grand Trunk Pacific is an undertaking of the "first national importance, and its national purpose should be kept constantly "in view. It is to be expected that settlement and colonization will accom- "pany the construction and development of the new road, and necessary "work in connection with this construction should be used in every way to "further this very desirable end. Nothing could more effectively defeat this "purpose than the employment by the Grand Trunk Pacific of citizens of "another country, whose interest in Canada is not an abiding one, and who "may be expected to leave the country as soon as the occasion of their tem- "porary employment is at an end.

"I would again repeat the request that particulars asked for in my letter "of the 26th ult., and repeated in this communication be supplied with the "least possible delay.

"Yours faithfully,
(Sgd.) "WM. MULOCK,
"Minister of Labour.

"Chas. M. Hays, Esq.,
"Second Vice-President and General Manager G. T. P.,
"Montreal, Quebec."

The letter of the 2nd April to Sir William Mulock from Mr. Griffith, provincial secretary, is as follows:—

"Sir,—We beg to call your attention to the employment of the follow- "ing American aliens by the Grand Trunk Pacific Railway, the majority of "whom are in our opinion, incompetent and unfit for the positions they oc- "cupy, and to respectfully ask that steps be taken for their deportation to "the United States as the employment by the Grand Trunk Railway of only "Americans has caused and is causing considerable suffering amongst the "families of a number of Canadian first-class qualified railroad engineers "who are out of employment:

"Employed at Winnipeg:—
"G. A. Kyle, engineer, 1320 North Yorkina Ave., Tacoma, Wash.
"M. Kyle, engineer, 1320 North Yorkina Ave., Tacoma, Wash.
"— Allan, engineer, St. Paul, Minnesota.
"— Kellar, engineer, Cleveland, Ohio.
"Employed at Edmonton:—
"— Van Arsdaile, engineer, Portland, Oregon.
"— McNeil, engineer, Indiana.
"W. Jones, engineer, St. Paul, Minnesota.
"— Hare, engineer, Wisconsin.
"I have the honour to be, sir, your obedient servant,
(Sgd.) "GEO. L. GRIFFITH.
"Prov. Sec., D. I. A. E."

Q. Now I think you told us in your examination the other day that part of your duty as secretary of this society, the Institute of Amalgamated Engineering, was to keep track of the engineers out of employment and to keep a roster. Was that so? A. Yes.

Q. I asked you to give me a list of those who are available for these positions. Is this the list? A. Yes.

Q. You addressed this to the Commissioner. It reads as follows:

"Winnipeg, Man., June 18th, 1904.

"Dear Sir,—I beg to hand you a short list, made out on Thursday after- "noon as requested, of Canadian engineers available for positions on the "Grand Trunk Pacific at once if necessary.

"Division Engineers:—
"John A. MacDonnell, Winnipeg.

"Thomas Turnbull, Winnipeg.
"Cecil B. Smith, Niagara Falls.
"Robert Fowler, Winnipeg.
"George H. Webster, Vancouver.
"B. J. Saunders, Edmonton.

"Locating Engineers:—
"A. McRae, Kingston.
"Gerald L. Law, Ottawa.
"C. R. Coutlee, Vancouver, graduate Military College.
"Mr. Ballard, Lethbridge.
"Robt. Bourne, Winnipeg, civil engineer and Dom. land surveyor.
"Wm. Burne, Regina, civil engineer and Dom. land surveyor.
"W. Burke, Dauphin, civil engineer and Dom. land surveyor.
"Alex. Dawson, Edmonton, civil engineer and graduate McGill University.
"W. Diblee, Rat Portage, civil engineer.
"R. Hughes, Rat Portage, civil engineer.
"J. F. Robertson, Winnipeg.
"Wm. Mann, Winnipeg.
"J. E. Robertson, Winnipeg.
"E. Mann, Winnipeg.
"John McCunn, Toronto.
"B. F. Forest, Stellarton, N. S.
"A. L. Russell, Port Arthur, civil engineer and Dom. land surveyor.
"W. Pattinson, Winnipeg, civil engineer and Prov. land surveyor.
"John Molloy, Winnipeg, civil engineer and Dom. land surveyor.
"Wm. Molloy, Winnipeg, civil engineer and Dom. land surveyor.

"Transitmen:—
"D. C. Stevens, Winnipeg.
"A. C. Whitney, Winnipeg.
"F. T. Bagshawe, Winnipeg.

"Levellers:—
"L. Teitlebaum, Winnipeg.
"S. Adkins, Winnipeg.

"Draughtsmen:—
"S. P. Ambrose, Winnipeg.
"A. Harding, Winnipeg.
"F. Green, Winnipeg.

"I might say that we are at present preparing a complete list of Cana-"dian engineers available for Grand Trunk Pacific work, and the number "will be far greater than would likely be needed, even if all the aliens left "the country.

"I might also add that there are a number of men who have had very "extensive experience on railway location and construction work, (in every "way men of superior qualifications to any of those at present employed by "the Grand Trunk Pacific,) holding positions as divisional engineers on "Canadian railroads at salaries ranging from $1,800 to $2,500, who would "be only too glad to accept positions as district and division engineers, for "which they are eminently qualified, at the salaries of $3,000 and $4,000 "respectively, at present paid by the Grand Trunk Pacific.

"In addition there are quite a few men holding positions as chief engi-"neers and chief divisional engineers on roads in Canada, who are in every "way superior to the present assistant chief engineer of the Grand Trunk "Pacific, and who would also be only too glad to accept the position at the "present salary of $7,500.

"I might, however, further add that the work of the engineering staff "is not at present well planned, in the opinion of a great majority of engi- "neers with whom I have conversed on the subject. The consensus of opin- "ion of those well qualified to know, is that there should be at least two "assistant chief engineers, say at a salary of $4,500 each, each one to take "charge of about 1,500 miles of road.

"There should also be a greater number of division engineers, say at a "salary of $3,500 each, no division to exceed 200 miles in length, and the "present office of district engineers at $3,000 totally abolished.

"Through the division engineers having charge of such an enormous "territory, which they could not possibly manage, and their inexperience in "management of work of such magnitude as this, the work so far carried out "has been grossly mismanaged.

"Putting on one side for the moment the question of the large number "of engineers out of employment, if the Grand Trunk Pacific preferred to "take their chief and division engineers from existing roads, it would mean "a general up-lifting and promotion throughout Canada, of the whole of "the railroad engineering profession.

"For your information I might also say that to the best of my belief, "there are about seven hundred applications, (exclusive of about thirty ap- "plications for chief engineer) filed by Canadian and British engineers with "the Deputy Minister of Railways, for positions on the Grand Trunk Pacific "Railway. It is very likely that the applications you already have, which "were sent to the Grand Trunk Pacific, are also filed at the Department of "Railways. Yours respectfully, G. L. Griffith."

Q. Do you know Mr. A. Carr-Harris? He is a son of Prof. R. Carr-Harris? A. Yes.

Q. Have you had anything to do with him in his work? A. Well, we have not been employed together.

Q. Do you know his reputation? A. Yes.

Q. Is he a good man? A. Oh, a very good man.

Q. Is there anything else you would like to say, Mr. Griffith? A. I would like if you would put in those testimonials from Prof. Carr-Harris and also from the Board of Works in the City of Winnipeg and also from the C. P. R. when I left there.

Mr. MOWAT: I will do that. I don't happen to have them present; they are in another package.

Cross-examined by Mr. CAMERON: Q. You know Mr. Sullivan the engineer on the western division of the C. P. R.? A. Yes, I know Mr. Sullivan.

Q. You have known him for some time? A. I know him by sight. I am not personally acquainted with him.

Q. He has been here two years I think now? A. I should say, yes.

Q. Were you in this room when he gave his evidence the other day? A. No, sir, I was not.

Q. He made the statement that for several months last year he had two positions vacant of a couple of thousand dollars a year, I think—$1,800 or $2,000 a year—positions he had to keep vacant for some time before he obtained men satisfactory to himself. Did you notice that statement in any report of his evidence or did you know of it? A. I didn't know of it. I noticed it in the papers, of course.

Q. And another position he had to give, worth a good deal more per annum, that was still vacant? A. Yes.

Q. You saw that also? A. No, I did not.

Q. And one that had been vacant on his hand for about a year without being filled. You noticed that also? A. Yes. I saw that in the paper.

Q. How would you account for that? A. Well, there is only one way to account for it.

Q. That would be some feeling on Mr. Sullivan's part? A. Pardon me?

Q. What would that be? A. I should say Mr. Sullivan was making a statement that was incorrect.

Q. Is this a business card of yours? A. Yes.

Q. "Geo. L. Griffith, Civil and Hydraulic Engineer, 14, Bank of Hamilton, Winnipeg.

"Reconnaissance, Preliminary Surveys, Estimates and Report on Projected Railways and other Public Works in any part of Canada or the United States."? A. Yes.

Q. Up on the left hand corner is, "Member Dominion Institute Amalgamated Engineers."? A. Yes.

Q. And on the left hand corner is, "Member Minnesota Engineering "and Survey Society."? A. Yes.

Q. So you are a member of this Dominion Amalgamated Association? A. Yes.

Q. And of the Minnesota organiaztion as well? A. No; they made me an honorary member.

Q. Did you have to take the Oath of Allegiance? A. No, it was just a matter of courtesy, that was all; it does not entitle me to any privileges.

Q. How long since that honor was conferred upon you? A. I think 1898.

Q. Have you since then held yourself out as willing to undertake works in any part of Canada and the United States? Has that been on your card? A. Yes, sir.

THE COMMISSIONER: I will ask you some questions to-morrow.

ALEXANDER A. EGGO, recalled.

By THE COMMISSIONER: Have you made out a statement of all the applications for the position of engineer? A. Yes, your Honor, they are in there, but they are not separated. (Refers to list.)

Q. I want it separated? A. Mr. Kyle asked me to get up that list; I didn't know exactly what the list was for. He simply said to put down the names and addresses of the different people with the date of their application and mark them, of course.

Q. You don't give the position that is applied for? A. No, that does not appear. Of course this was taken from the book and the answers to the applications didn't state anything as to the position.

Q. But the applications would state what they were seeking? A. The applications themselves would, yes, sir.

Q. You have not set that forth? A. No.

Q. What I wanted was to have set forth separately, as I told Mr. Kyle to-day, the names of Canadians who had applied for the position of assistant engineer, those applying for the positions of transitmen, draughtsmen, levellers and topographers? A. I didn't understand that. That could very easily be done.

Q. Do that for me by to-morrow morning. A. Yes.

Q. Will you require to use the letter books this evening? A. No.

Q. There is the letter I had reference to in connection with Mr. Morse.

Q. Did you get Mr. Kelliher's correspondence? A. Mr. Kelliher says he has not got it between Green, Fink, Gill and himself.

Q. You produced two letters addressed to Mr. Morse referred to by you in your evidence yesterday? A. Yes.

Q. The first letter is dated July, 24th, 1903, and addressed to Mr. Morse at Winnipeg: "Dear Sir,—I understand that you have made application "to Mr. J. R. Stephens, assistant chief engineer, for a position and would "be pleased to have you call at my office, room 420, Grain Exchange, regard-"ing same." Do you know whether Mr. Morse called with respect to that letter? A. I do not.

Q. On the 21st August, 1903, you produce a letter to Mr. Morse in which you say: "Regarding your note of the 16th inst., regarding position "I think I will be able to place you as transitman on locating party west of "Winnipeg about the 1st September at $100 per month and expenses. If "this is satisfactory, please arrange matters so that I can wire you on short "notice." Do you know what was the result of that communication? A. I do not.

Q. Where did these letters come from? A. They came in that volume you had marked, "Copies of letters."

Q. I didn't see that last night? A. No, not last night. That was a file I took up to you one night at the Clarendon Hotel.

Q. You dont know what resulted? A. No. Mr. Morse was never hired.

The COMMISSIONER: That will be all till to-morrow morning, Mr. Eggo.

GEORGE A. KYLE, recalled:

By Mr. MOWAT: Q. I find a letter Mr. Kyle from Mr. A. Carr-Harris dated 10th May this year, at Kingston: "I beg respectfully to apply for "employment either as assistant engineer in charge of a party or as transit-"man on one of the parties which are on your division of the Grand Trunk "Pacific. I have had three years experience in survey. Last year I was run-"ning transit on Grand Trunk Pacific, North Bay Branch. I can refer you "to Mr. G. A. Knowlton, Division Engineer at North Bay. I can be ready "to start immediately. Either a wire or letter sent to the above address "would reach me."

Do you know why that young gentleman who seemed to be experienced was not given a position? I suppose you didnt know him at all? A. Never knew him, no sir. I dont think there was anything at that time that we could give him, in my remembrance. Is the answer there?

Q. I have a letter here of April 7th from Mount Albert, Ontario, from D. M. McLennan, address Avenue Road, Toronto. Do you know that this young gentleman is a son of Mr. R. McLennan: he is a very eminent engineer? A. I really dont bring that to mind.

Q. "Dear Sir:—Are you sending out any survey parties this spring or "coming summer? If so would like to be placed as transitman with a view "of getting charge of work during construction. I have had considerable ex-"perience on construction, preliminary and location work in British Columbia "on the Columbia and Western Railway, also on the C. P. R., on the prairies "and in Ontario and think I can give good satisfaction in my field work and "what I would be asked to do. I might refer you to Mr. Tye of the C. P. R. "and Mr. A. C. Dinnis as engineers whom I have worked for. Hoping to be "favored with an early reply. Yours respectfully, D. M. McLennan." A. I made the same answer. I dont think there was anything to give him.

Q. A letter of the same date, April 7th, School of Practical Science, Toronto: 'Would you kindly let me know if you require transitman this "spring. Have had experience of land surveys and as mining engineer in

"Helen Mine and also at Sudbury, and am thoroughly accustomed to bush life. J. G. MacMillan." He was not employed, was he? A. He came in after the parties were filled up. There was nothing we could give him.

Q. A letter dated March 21st, Jarvis Street, Toronto, addressed to the Chief Engineer of the Grand Trunk at Winnipeg: "I desire to obtain a po-"sition as transitman or level man. If you require assistance I beg leave to "offer my services. I am a graduate in civil engineering of the Ontario "School of Practical Science and have had considerable experience in instru-"mental work and in the handling of parties, as you will see by the enclosed "testimonials to which I beg leave to refer you. Should you see fit to honor "me with an appointment it would be my highest aim to give entire satisfac-"tion to all concerned. Yours truly, John Waldron."

Enclosed is a certificate from Thomas Fawcett, Dom. Land Surveyor, dated at Winnipeg saying: "Mr. John Waldron is a graduate of the Onta-"rio School of Practical Science, Toronto, and has been my assistant for the "past two seasons; last season in Algoma and this year in the North West "Territories. He is a careful and expeditious transitman and good manager "of a survey party and quite competent to conduct successfully any survey "work he may undertake."

Mr. Waldron was not employed, was he? A. No sir, for the same reason that I gave.

Q. A letter from Winnipeg dated April 25th, addressed to you: "I will "be glad to hear what prospect I have of obtaining employment with the "Grand Trunk Pacific on location or construction. I am at present employed "with the Canadian Northern with whom I have been since 1899 holding po-"sition from chainer to transitman on location and resident engineer on con-"struction. I own my own instruments. I attach a list giving my experi-"ence on work with names of engineers of whom references may be obtained. "Also reference would be given to Mr. M. H. McLeod, Canadian Northern, "if requested,"

He gives his different positions from chainer to transit-man on Manitoba and South Eastern, Manitoba and Minnesota, Ontario and Rainy River; trial line Nipissing district, location Carberry to Portage, construction Prince Albert; trial line location to Pas Mission. Signed Mr. A. J. Gayfer. He didnt get the position? A. A. I dont think so. He had a position at the time.

Q. Do you adopt that as a reason for not employing men? A. That would be one thing; we didnt like to take the men off the other roads.

Q. Does that apply to only Canadian Railroads? A. Not necessarily.

Q. Because you have had a great number of young men coming over here employed on American railroads? A. Not necessarily employed.

Q. Given promotion and better pay. So I dont quite understand your point that you are sensitive on the subject of taking people from other Canadian lines. How do you explain that? A. We didnt want to get the engineers of the Canadian Pacific or Canadian Northern. We didnt want to appear as competitors with them any more than necessary. If they had good men we didnt like to take them away.

Q. Do you consider competition giving young men advancement in their profession. A. I dont consider it is right to try and get a man away from another road when he is working for them.

Q. Dont you see one of these young men actually says "I can refer you to Mr. McLeod the Chief Engineer of the Canadian Northern? A. I suppose he meant for his ability and so forth.

Q. He would not likely have referred you to him if he had thought Mr. McLeod would have objected to letting him go to a better position? A. I

took the stand that it would not be advisable to try to take men from either the Canadian Pacific or Canadian Northern.

Q. Did you ever say that to any of these Canadian applicants? A. I dont know that I ever did. We didnt want to get their ill will.

Q. Do you think Mr. McLeod is such a man that he would object to any of his young men getting promotion and geting up in their profession? A. No, I dont say that at all.

Q. That would be a most unreasonable position to take? A. I still think it would not be policy to try and take their engineers away.

Q. Simply because you say the Chief Engineers of those lines would resent it? A. I think you put a wrong construction on that.

Q. Where is the fault and what bad consequences are going to arise from letting young men get promotion in their profession. A. I dont consider it is a right thing to try and take men away from another road that you are working along friendly with.

Q. Because you think that you found objection from the Chief Engineers of the other road? A. I dont think they would like it very well.

Q. That is the only reason? A. That is the main reason.

Q. Still you say you dont think that Mr. McLeod would have laid any protest with you? A. I dont know I am sure. I wouldent consider it good policy to try to take their man away.

Q. While your courtesy applies to Canadians it does not apply to the same extent to Americans such as the Northern Pacific for instance? A. It would not; we were not coming in competition with them.

Q. I find here a letter from Mr. McClelland of Madeira, Penn., dated March 26th applying for a position, saying he has had charge of a small party for nine months as assistant engineer in the field; holds a diploma from the University of Minnesota; and your reply to him on November 17th is this: "C. L. McClelland:

"Answering your application on the 10th inst., I beg to say that at present "there is nothing I can offer you as we are simply running preliminary lines "and have no construction work on hand. I have placed your name on file "however as transit-man or engineer on construction and if anything opens "up where your services will be needed I will let you know. There will prob- "ably be a great deal of work here in the spring."

That, I suppose might be described as an encouraging letter? A. When I wrote a letter to a man like that I didnt like to turn him down too hard; there is not use insulting a man on a thing like that and cutting him off short.

Q. You had in your mind that as soon as construction started there might be further positions? A. I didnt offer him any sure position.

Q. But you had in your mind when you wrote such an encouraging letter that when construction began there would be other positions? A. I naturally would.

Q. Now you wrote to Mr. Stephens on September 2nd, 1903; "I return "you herewith both letters of application which you sent out for our use. I "have taken a copy of the names, addresses and references in case we should "have need for any one of these men in the future and so return these papers for your file as requested." Have you got any book showing specifically those names and addresses? A. Oh, I dont remember about that. I couldnt say.

Q. The addresses and names would likely be copied out? A. They would appear probably in the regular ——

Q. They would likely appear done at the same time; they would all have been copied out in a book at the same time? A. In with the other names from the list.

By The COMMISSIONER: What other names? A. Well probably in the book of applications.

By Mr. MOWAT: Q. And would be done at the same time so that you could return them? A. I couldnt say, but I have them somewhere I suppose.

By the COMMISSIONER: Q. That book was only started after December and this is September, 1903? A. That might be—

Q. You might find that out for to-morrow morning? A. That may be in the file.

Q. They are not in the file either because it is only a copy you took; only originals would be on file? A. They may be down there somewhere.

The COMMISSIONER: You might find that so as to let us nave it to-morrow.

Mr. CAMERON: I will let my examination stand till to-morrow morning.

COMMISSION adjourned till Thursday, June 23rd at 10 o'clock a.m. ,

Thursday, June 23rd, 1904, 10.15 o'clock resumed.

Present His HONOUR JUDGE WINCHESTER, COMMISSIONER:

Present Mr. H. M. MOWAT, K.C., Counsel for Government.

Present Mr. J. D. CAMERON, K.C., Counsel for G. T. R.

The COMMISSIONER: Is Mr. Stephens here?

Mr. CAMERON: He was here last evening but went east at eight o'clock. That was his intention when I saw him.

The COMMISSIONER: When was he here?

Mr. CAMERON: Between five and six I saw him.

The COMMISSIONER: When did he come here?

Mr. CAMERON: I dont know whether in the morning —

The COMMISSIONER: What time could he have arrived here from Edmonton?

Mr. CAMERON: I dont know.

The COMMISSIONER: Did he not know he was wanted here?

Mr. CAMERON: I dont think he did.

The COMMISSIONER: Didnt you tell him?

Mr. CAMERON: I told him the facts and he said he was under instructions to go east but he would present himself at North Bay or at Montreal for examination if necessary, if deemed necessary by himself or yourself.

The COMMISSIONER: I certainly stated I intended to examine him here. You understood that?

Mr. CAMERON: I dont know that I did. I didnt recall it.

The COMMISSIONER: I so stated yesterday, that I intended to examine him before leaving here.

Mr. CAMERON: That was certainly not my understanding. I may have misapprehended your Honor. I understood the adjournment was to give him the opportunity to attend if he chose.

The COMMISSIONER: We adjourned yesterday especially for the purpose of allowing Mr. Stephens to be present to hear any witnesses with reference to his habits, did we not, at your request?

Mr. CAMERON: Exactly.

The COMMISSIONER: Why, in all fairness, was that done if he did not intend to be here?

Mr. CAMERON: I hadnt the opportunity of consulting personally with him.

The COMMISSIONER: He was here at that time I am instructed?

Mr. CAMERON: I am not aware.

The COMMISSIONER: He came here yesterday morning.

Mr. CAMERON: I am not aware at what time he arrived.

The COMMISSIONER: My constable saw him.

Mr. CAMERON: I know nothing as to that.

The COMMISSIONER: Those are the facts and in the face of those facts it seems to be rather singular that Mr. Stephens should play with the court in that way.

Mr. CAMERON: He informed me he was under instructions to proceed east and as far as I know he has.

The COMMISSIONER: Had I known he would not be here I would have subpoened him. If he is going to be at North Bay on Monday I suppose he could have gone down to-night just as well as last night.

Mr. CAMERON: I don't know what his precise engagements were.

The COMMISSIONER: It has just delayed us a day.

Mr. CAMERON: I cant say as to that.

The COMMISSIONER: We would have been through yesterday.

Mr. CAMERON: There was some material that was to be presented to-day.

The COMMISSIONER: I know that. I could have done that myself. In fact I have done it largely to see that Mr. Eggo's statement was correct.

Mr. CAMERON: Those are my instructions in the matter for Mr. Stephens.

Mr. MOWAT: I proposed to ask Mr. Stephens some questions regarding these letters which constitute his report to the Government on a lot of these officials. We will have to defer that until we can get him I suppose.

GEORGE L. GRIFFITH, recalled.

By The COMMISSIONER: Q. You are under oath still? A. Yes.

Q. Do you know Mr. John R. Stephens the Assistant Chief Engineer of the Grand Trunk Pacific Railway. A. I do, sir.

Q. How long have you known him? A. Since July, 1903.

Q. You were in the employ of the Grand Trunk Pacific Railway when you first got acquainted with him? A. Yes.

Q. Have you seen him from time to time in Winnipeg since that time up to the present time. A. Yes.

Q. Have you had conversations with him. A. In July and August of last year and also in the beginning of February this year.

Q. Have you seen him under the influence of liquor at any time during that period?

Mr. CAMERON: I suppose there is no object in my renewing the protest I have already made?

The COMMISSIONER: No. That will stand for all witnesses.

Q. Have you seen him under the influence of liquor since you knew him? A. Well I can state that on two occasions I have seen him unfit for duty.

Q. When were those occasions? A. The first time was in July, 1903 and the second time I cant remember the date at all because I dont keep a diary. It was in February of this year when he was in town.

Q. What time of the day was it that you saw him unfit for business in consequence of being under the influence of liquor? A. On both occasions, sir, it was in the afternoon.

Q. What time in the afternoon? A. At this distant date I should say from three to four o'clock.

Q. During business hours? A. Yes.

Q. Where was he at that time? A. On the first occasion he was in the Grain Exchange where we had a temporary office at that time, on the second occasion in February of this year in the Strathcona Block where the present offices are.

Q. Was any one with him at the time? A. Mr. Kyle.

Q. In what condition was he? A. Well sir——

Q. Just state the fact as you saw him? A. He was totally unfit for duty—intoxicated.

Q. How was he acting? A. Well, as an intoxicated man would act; unable to move about properly or even converse properly.

Q. Are those the only two times that you saw him? A. Those are the only two occasions that I can say I saw him totally unfit for duty.

Q. Have you seen him at other times under its influence? A. Well, yes, I have on several days during his stay here.

Q. How long ago? A. Both last year and in the beginning of this year. He was here as far as I can remember eight or nine days on each occasion in Winnipeg.

By Mr. MOWAT: Q. You were employed, do you remember, by Mr. Kyle at first in making some inquiries as to lines of other railways and collecting information? A. Yes, I was, owing to the fact I was very familiar with the archives in all the various public offices, that is, the Dominion Public Works office, the Provincial Public Works office, the Dominion Lands Office and Provincial Lands Office, the Canadian Pacific Railway Office and the Canadian Northern Railway office.

Q. Did you obtain for him information from those two last named offices? A. Yes. Information necessary for the construction of this road.

Cross-examined by Mr. CAMERON: Q. I asked you to see Mr. Winckler. You have been unable to procure his attendance to-day? A. No sir; he is very sick to-day. I understand the doctor was going to see him this morning and if the doctor would allow him to come out they would bring him up in a conveyance if you wished for him.

Q. Do you know anything about Mr. Winckler's views on subjects in general? A. Nothing whatever.

Q. You dont know of any peculiar views he holds as to the shape of this earth? A. I do not.

Q. Are you aware that Mr. Winckler holds that this earth is flat? A. I might tell you I have never to the best of my belief spoken to Mr. Winckler.

Q. You have never heard him expounding his reasons for believing that the earth is flat instead of round? A. No sir, I have not.

Q. He has never shown you the magazine which is published on that subject? A. No.

Q. Of a society having its head-quarters in London, Eng? A. No sir.

Q. You never had the pleasure of perusing that? A. I may tell you you frankly I dont know that I even know him for certain. It was his wife I saw yesterday when I was up in the bed room and his wife I saw this morning. I understood the lady I saw was his wife.

Mr. CAMERON: Your Honor I very much regret Mr. Winckler is unable to give his evidence upon this subject because I believe he grows very eloquent on it and I have no doubt your Honor would enjoy hearing his views. Some engineers might think another engineer's usefulness was interfered with by his belief that the earth was flat instead of round. I regret he cannot give evidence upon this interesting subject.

The COMMISSIONER: We dont know whether he could give evidence or not.

Mr. CAMERON: He could give evidence of his belief and the ground of his belief.

The COMMISSIONER: That subject is not under discussion here.

Mr. CAMERON to witness: Q. You seem to have kept pretty close observation on Mr. Stephens movements while he was here? A. Nothing whatever.

Q. Nothing beyond what you incidentally saw? A. That is all. I was in his office at the time and of course I couldent help seeing that.

Q. You didnt trail after him to any extent? A. No: I have something else to do.

Q. Or use any efforts through anybody else to have him kept track of? A. Nothing whatever.

Q. How long ago was that civic Investigation? A. I think three or four years ago. I dont just remember.

Q. About three years ago this summer was it not? A. No. I believe it was four years. I am not just positive, to tell you the truth, about that at all.

Q. That was practically an investigation of the Public Works Department of the City in certain respects? A. No sir. As far as I recollect it was an investigation as to the laying out and setting out of certain buildings at the water works, in fact, the water works building and the electrical.

Q. That was the first part of it but it branched out a great deal. A. I was not there so I have no idea at all.

Q. Had you anything to do with the inception of that investigation. A. Nothing whatever.

Q. Was it not that which led to a pretty strong difference of opinion between Col. Ruttan and yourself? A. No sir, the only difference between Col. Ruttan and myself was, I was asked to lay out these buildings and I pointed out to Col. Ruttan in the way they were grouped together and owing to the fact that the large well that supplied the City with water was practically in the centre with these buildings surrounding it, that in the course of time the pumping of the water, that is the extent of it, about 2,500,000 gallons a day, would undermine the foundations of the buildings. I felt so strongly in the matter that eventually I declined to have anything to do with the construction of those buildings and I resigned. Subsequent events proved my judgment was correct. The buildings did fall. That is all I had to do with it.

Q. You say you had nothing to do with the inception of the city investigation which was practically an investigation of Col. Ruttan? A. No. As a matter of fact I must frankly say I was not there.

Mr. MOWAT: It is well known Mr. Griffith has been ready and available for work on this railway and has not received it and in view of the questioning and in view of Mr. Hays' letter, which I think there is no foundation for, that he was dismissed for cause, I think it is proper I should put in these certificates as to his professional standing. I think I am more justified in doing that in view of the line of cross-examination which has been pursued, while I do not think at all that the examination had interfered with Mr. Griffith's professional reputation.

(Mr. Mowat reads a letter of recommendation from Mr. R. Carr-Harris)

WITNESS: I might say that Mr. Harris has known me for eighteen years.

Mr. MOWAT: Reads letter from office of Canadian Pacific Railway Co., Montreal, dated March 7th, 1902, giving Mr. Griffith a recommendation.

WITNESS: I would like to make a remark there, with reference to the culverts mentioned, that they were very massive structures averaging from fifteen to thirty-five thousand dollars each.

Q. They were not ordinary culverts? A. No sir.

Mr. MOWAT: I think we had the testimonials given Mr. Griffith when he was approached to know whether he would undertake the survey of 500 miles of railway in South America on the borders of British Guiana and Venezuela.

Q. Who was that? A. Mr. Peacock.

Q. But who were the people? A. Mr. Harding was the director of the company.

Q. A letter from the city of Winnipeg, from the chairman of the board of Works, signed D. A. Ross. Who is that? A. Chairman of the Board. I might just explain that. There was a vacancy in Ottawa as Assistant City Engineer and I applied for that and I was one of two finally selected but the position went to the gentleman who was resident in the city.

Q. I think you told us before you obtained the prize on the invention of a combined transit and level which would suit all countries, dust and rain proof, and that you won the prize of 100 pounds? A. Fifty pounds.

Mr. MOWAT: I give these back to you. I trust you wont need them so soon for the purpose of showing what everybody knows.

KENNETH JOSEPH BALDWIN, sworn:

By The COMMISSIONER: What position do you occupy on the C.P.R.? A. Head draughtsman in the construction Department.

Q. Do you know Mr. A. M. Morgan, draughtsman, of this city. A. Yes, your Honour.

Q. Have you had any knowledge of his work as draughtsman? A. I have.

Q. Is he a capable draughtsman to your knowledge? A. Well, a fair man.

Q. Has he given you satisfactory work? A. Yes, your Honor.

Q. On the C. P. R.? A. Yes, your Honor. He was not employed in the field: he was just simply tracing here in the office.

Q. And was it satisfactory? A. Yes.

Q. I understand in some particulars he is rather superior. Is that the case? A. I dont know, your Honor.

Q. Do you know Mr. John R. Stephens the Assistant Chief Engineer of the Grand Trunk Pacific Railway? A. Not at all, your Honor.

Q. Do you know him to see him? A. Yes.

Q. How long have you known him to see him? A. Since about February of this year.

Q. Have you at any time seen him under the influence of liquor? A. I cant say that I have.

Q. What can you say as to it then? A. I have just seen him taking a drink that was all.

Q. Heard him speak? A. He was talking to some friends; I was not quite near him and I was not thinking of him at all. I saw him there.

Q. Did you take notice of his speech? A. I have never heard him speak at all to anybody, but he was talking there to them and he was talking in a very low voice.

Q. Have you ever said, Mr. Baldwin, that you noticed he was under the influence of liquor through his speech? A. I said that he was speaking a little thickly.

Q. On how many occasions did you see him in that condition? A. Twice.

Q. Where? A. The Marriagias.

Q. When? A. About a month and a half ago.

Q. Those are the only occasions you saw him? A. Yes, your Honor.

Q. Was he drinking at the time? A. No.

Q. Had he been? A. I dont know; he was just talking to a few friends.

Q. Had you seen him drinking there? A. No, your Honor.

By Mr. CAMERON: Q. You have said you never heard Mr. Stephens talking ordinarily outside of the circumstances you have mentioned? A. No sir, not at all.

GEORGE A. KYLE, recalled:

By The COMMISSIONER: When Did Mr. Stephens come to Winnipeg? A. Yesterday.

Q. What time in the day? A. Well, I didnt see him come.

Q. What time of the day did he come, do you know? A. I really dont know. I dont know what time the trains come in——

Q. When did you see him for the first time yesterday? A. I saw him I think it was after noon if I remember right.

Q. Before the afternoon—before we met? A. I think it was after I left here.

Q. At dinner time. A. At dinner time.

Q. And before we re-met in the afternoon? A. Yes.

Q. Did you inform him of the nature of the evidence that was being given attacking his habits? A. He saw it in the paper.

Q. Did you inform him? A. We were talking about it.

Q. You told him that? A. He seen it this morning.

Q. Did you not tell him? A. As I say, we were talking it over, yes.

Q. Did you tell him we had adjourned until he came so that he could be present when the evidence was being given? A. I dont know. I didnt tell him that particularly. He understood that it was adjourned.

Q. For the purpose of allowing him to be present? A. I didnt understand that, your Honor.

Q. You were here when the discussion took place between Mr. Cameron and myself? A. Yes.

Q. You heard I stated I would adjourn till to-morrow for the purpose of allowing Mr. Stephens to be here? A. I don't believe I heard that.

Q. Swear that you didn't? A. I will swear that I don't think I did. I don't remember it anyway. I might not have been in the room. I don't believe I was in the room. I didn't know that you had adjourned for that particular purpose.

Q. You knew we had adjourned for the purpose of hearing further evidence as to his habits? A. Yes, I knew that.

Q. And you informed Mr. Stephens of that fact? A. He knew that the court was——

Q. Why did he not appear here this morning? A. He has gone east.

Q. I know. Why did he not appear? A. I don't know why.

Q. Could he have appeared so far as you know if he wished to? A. I suppose if he wished to he could. I don't know. I couldn't say about that, whether he had instructions or not, but as far as I know he could. He might have had instructions to go east: I don't know.

Q. I asked Mr. Eggo to bring a file of letters that were written before the letter book was kept. He has not brought them here yet.

Mr. CAMERON: He said he would have it prepared about eleven o'clock —he would be up here about eleven.

The COMMISSIONER: With the file?

Mr. CAMERON: With the statement.

Q. There is a letter there from Mr. Burton T. Horsey of Kingston. (Produce same to witness) Do you remember that? A. Yes. I see I answered it.

Q. It is dated at Kingston, Ontario, November 28th, written to Mr. Kyle: "I should like to apply for position with you as transitman this winter on the G. T. P. Have worked for the Bay of Quinte Railway and for the

C.P.R. Can furnish letters from my former chiefs. Respectfully yours, "Burton T. Horsey."

Q. Did you employ him? A. No sir, I don't think so. You remember you spoke to me about some letters that I copied. I think there was some mistake about that because I didn't copy letters; I just took the names of the parties.

Q. I didn't suppose you would have copied the letters? A. That was supposed to be in that book of applications.

Q. Why would they be in that book when that book was not in existence? A. We have another book and Mr. Allan revised that book.

Q. Mr. Eggo stated that was the only book with applications entered in it and it was not entered in until I think December of this year? A. We had a few applications on some letters and I just put it on pieces of paper in pencil.

Q. You are entirely mistaken as to that; that application book has entered in it personal applications only? A. Well, we put in some of those names I think.

Q. Personal applications with their personal residence, nearly altogether in the Province of Manitoba? A. Mr. Allan entered in that book the names of persons we had written to and those that were not available he left them off that book.

Q. The fact still remains that that application book contains only personal applications to the Winnipeg office by parties desirous of employment with their addresses, and all their addresses are entered in that application book? A. If I remember correctly we copied these in that book.

Q. How would you copy them in if they were written from all the provinces of the Dominion and the United States? A. They might be in the book there.

Q. In which book? A. That book of personal applications.

Q. Would you put a wrong address to them? A. No sir.

Q. These are nearly all Winnipeg or Provincial addresses? A. Aren't there some out of Montreal.

Q. No sir? A. That is the only place they would be.

Q. At any rate you can't find that? A. No sir. That is the way it was handled. If they are not in there they were overlooked.

Q. Do you know how many there were? A. There were about five or six.

Q. Only five or six? A. Oh, that is all. That letter refers to it there, assistant engineers. I am quite sure of that—somewhere about there; there were not very many; five or six—somewhere around there.

By Mr. Mowat: Q. I have only one more letter here which was found in the file book of the company and I submitted it to Mr. Cameron and Mr. Kyle and they think it is of a private nature. I don't think so and I propose to put it in, but at the same time if your Honor thinks that it is then I would ask that no note be taken, and ask the gentlemen of the press that they should pay no attention to it.

Mr. Cameron: I will be perfectly satisfied, if it is here now, if you left it to his Honor. Your Honor can judge from the tenor of it as to whether it should be considered and whether it is properly admissible in a matter of this kind.

Mr. Mowat: It is by a gentleman who thoroughly understands the business methods of the company; it is not marked "private."

Mr. Kyle: The man who wrote the letter was not in authority.

The Commissioner: (Looking at letter) That is an application. He says "I ask for a position." There is nothing personal about that; it is addressed to Mr. Kyle as Divisional Engineer.

Mr. KYLE: There is one letter here from Mr. Goodman.

Mr. CAMERON: That should not go in, a letter written by Goodman to Hayden.

Mr. KYLE: Mr. Goodman had no authority, your Honor.

Mr. MOWAT: An application from Chas. H. Hayden of Tacoma, Washington to Mr. G. A. Kyle as follows:

"Dear Sir: The enclosed letter is one written in reply to my brother from "Mr. Goodman.

"I desire to secure a position with one of the parties of surveyors you will "be putting in the field in the spring, unless some opening should occur be-"fore then with you.

"For the last four years I have been prospecting and working in placer "and quartz mines at Nome, South Eastern Alaska and the last year in the in-"terior of the Copper River Country, am in perfect health as you will see and "familiar with and inured to hardships of frontier life.

"Until lately have had no experience but since writing Mr. Goodman "have done a little surveying work here. I want a position as rodman or "chainman to start with and am confident I can give perfect satisfaction. I "want to become connected with your company and in such an event hope to "remain with it. I am twenty-seven years of age, unmarried and desirous of "gaining practical experience in railroad construction work and Civil Engineering.

"Kindly favor me with a reply and any suggestions you may make will "be highly appreciated.

"Yours respectfully,
"Chas. H. Hayden."

The letter enclosed from Mr. Goodman is as follows:

The COMMISSIONER: Mr. Goodman is an officer of the G.T.P.

Mr. CAMERON: If Your Honor will look over that letter I think you will take it as a personal communication.

The COMMISSIONER: It is immaterial whether it goes in here or at Montreal.

Mr. MOWAT: The letter reads as follows:

"Montreal, Dec., 5th, 1903.

"Mr. W. H. Hayden,
"Tacoma, Wash.
"My Dear Will:

Yours of the 30ult., just brought in and was rather a pleasant surprise "package. Glad to learn the town is bucking along in the same old way.

"As to the possibility of your brother Chas. securing a position on G. T. "P. surveys, I can advise you no better than to have him apply to Mr. G. A. "Kyle, Div. Engineer, G. T. P. at Winnipeg, Manitoba, P. O. Box 68, and "have him state his Alaska experience and what position he would like to try "for. This is his best chance but I will say in advance that the Canadians are "making a great howl against Americans taking away their jobs so that the "officials of the R.R. are filling all the positions they can with Canadians, but "they sometimes plug up their ears and take an American.

"Hoping this will give you the desired information, I am, Yours sincere-"ly,

"Herman M. Goodman."

Q. Just before you came in Mr. Griffith said he was employed by you for some months I think to obtain information from the Government offices

and also from the engineering offices of the C. P. R. and Canadian Northern Railways. That is true? A. Yes, he did that.

Q. I think you wrote a letter to Mr. Stephens informing him of that fact that you were keeping him? A. Yes. He did that—did obtain information for us.

Q. You also wrote to Mr. Stephens telling him so? A. I believe so.

Q. So at that time it was undoubted that you had confidence in Mr. Griffith? A. At that time we of course didn't know much about Mr. Griffith.

Q. Your idea of courteous treatment of the other railways didn't go so far that you wouldn't ask him to go to their offices for information? A. I wouldn't, no, not to get any information that was not proper information.

By Mr. CAMERON: My learned friend yesterday put in some of Mr. get a three-tenths grade from the south branch of the Saskatchewan River to of my ability under the circumstances wherever we could obtain them. Of

The first is a letter dated, Winnipeg, May 5th, 1903 to C. S. Moss.

The COMMISSIONER: Have you got the letter to which that is an answer?

Mr. CAMERON: It is not an answer to a letter. These are letters to various applicants for positions and otherwise, directly and indirectly.

The COMMISSIONER: If they are answers to applications that are in——

Mr. CAMERON: I think they are, most of them.

This letter of May 5th reads:

"Dear Sir: I have been informed that you are an experienced instrument "man, and can offer you a position in one of my parties on exploration at "$100.00 per month and expenses, in the employ of the Grand Trunk Railway. "The chances are that it will prove to be quite an extensive job.

"In case you can accept, advise me by wire, in order that there may be "no delay in party, and I will send you transportation. Please act promptly.

"Yours truly,

G. A. Kyle,
"Division Engineer."

"Q. What action was taken by Mr. Moss with reference to that? A. We didn't get an answer from him in time to fill the position. We finally got an answer from Mrs. Moss saying that he was not at home at the time.

The COMMISSIONER: Q. Have you got that answer? A. I think that is in the letter book.

By Mr. CAMERON: Q. Not in the letter book, in the file. A. Yes, it must be in the file.

Mr. CAMERON: I put in copy of the letter of May 11th, 1903, from Mr. Kyle to Mr. G. Kingsford as follows:

"Dear Sir:

"Answering your letter of the 6th inst., referring to the matter of posi-"tion as draughtsman, I wish to state that after the personal interview which "I had with you, I am afraid that your experience would not be sufficient to "justify me in offering you the position. I wish to have a man who will be "able to take charge of the office in which there will be considerable work "later on. However if anything should come up in the near future, I will "be glad to let you know.

"Yours truly,
Division Engineer."

Mr. CAMERON: I am really putting these in to show the general trend of the correspondence between Mr. Kyle and these various applicants on both sides of the line.

"Mr. Leigh Allen, "Winnipeg, June 3rd, 1903.
Box 258, Pocatello, Idaho.

"Dear Sir:—

"I beg to acknowledge receipt of yours of the 24th ult., regarding position "on the Grand Trunk Ry. I wrote you some time ago concerning this. Pos- "sibly you have received my letter by this time.

"I could not at present do anything better for you than you are getting "on the Oregon Short Line, as you say that you are getting $100 per month "and expenses. The only positions that we might possibly have open here "for awhile would be an engineer at $175, and transitman at $100 a month "and expenses. My parties are all full at present. Later on, no doubt there "will be openings and I will keep you in mind when they occur.

"Yours truly,
"G. A. Kyle."
"Division Engineer."

Mr. CAMERON: Reads letter dated, Winnipeg, October 16th, E. R. McNeil. Do you know what action was taken with reference to that? A. We got a letter from Montreal. I don't recall his name.

Q. Can you recall his name? A. I don't know as I can at present. I I think it was W. K. Money, the draughtsman, who was appointed.

Mr. CAMERON: I put in copies of the following letters:

"Mr. Roger Hoogland, "Winnepeg, April 6th, 1904.
2670 Aldrick Ave., South,
Minneapolis.

"Dear Sir:

"Answering yours of the 4th inst., making application for position, I am "sorry to say that there is nothing I can offer you at present as all the parties "are filled, and besides we are not bringing any more men over the line than "is absolutely necessary.

"Yours truly,
(Sgd.) G. A. Kyle,
Div. Engr."

"Mr. Clyde M. Cram, "Winnipeg, April 8th, 1904.
1527 6th Street, S.E.
Minneapolis, Minn.

"Dear Sir: Answering yours of the 5th inst., making application for posi- "tion on Grand Trunk Pacific, would say that at present there is nothing I can "offer you. I might also add that we are not bringing any more men from "the United States than is absolutely necessary.

"Yours truly,
(Sgd.) G. A. Kyle,
Div. Engr."

"Mr. J. G. McDonald, "Winnipeg, April 28th, 1904.
Tacoma, Wash.

"Dear Sir:

"Answering yours of the 21st inst., making application for position I am "sorry to say that at present there is nothing that I can offer you on my Di- "vision, and besides there is being made quite a little objection to transport- "ing Americans this side of the line.

"Yours truly,
(Sgd.) G. A. Kyle,
Div. Engr."

To the COMMISSIONER: The three previous copies of letters are answers respectively to the following applications:

Minneapolis, Minn., April 4th, 1904.

"Chief Engineer,
Grand Trunk Railway,
"Dear Sir:

"I am a graduate of the Minneapolis High School and am 19 years old. "I would like a position with a surveying party for the season. I have never "been on a survey before but have had experience in western railroad camps "and am used to hardships and hard work. I have also done a great deal of "walking and can ride. I can go at once and will work at any place. If you "deem this worthy of answer please state wages, whether you can furnish me "transportation from Minneapolis or not, and other particulars.

"Yours truly,
Roger Hoagland,
2640 Aldrich Ave., S.
Minneapolis, Minn."

Minneapolis, Minn., April 5th, 1904.

"Chief Engineer,
Grand Trunk Ry.
Winnipeg, Canada.
"Dear Sir:—

Mr. Frank McKoy of the Great Northern, St. Paul, has advised me to ap- "ply to you for work in surveying.

"I am a member of the junior class in civil engineering at the University "of Minnesota having had the most practical part of the course.

"Although I am going to school now I am willing to take at once any po- "sition you see fit to give me on location or construction and to continue as "long as the work lasts.

"Awaiting a favorable reply, I am,

"Yours respectfully,
(Sgd.) Clyde M. Cram."

Tacoma, 4-21-04.

"Mr. G. A. Kyle,
Eng., in charge G. T. P.
"Dear Sir:

"Can you help me in the line of work train work? I am out of employ- "ment at the present time and times are very hard now. You will no doubt "remember me I had charge of work train under you for some time on the "Palmer Cutt off N.P. Can give you good references from Engineer in "charge of construction—Mr. F. Bartlett—P.S.E.L. between Tacoma & Seat- "tle and Mr. A. Blair, Supt. of Construction same Road.

"Please excuse this liberty,

"Yours truly,
(Sgd.) "J. G. McDonald."

Mr. MOWAT: I was asking Mr. Kyle about his employment of Mr. Griffith and he told me he had received instructions or had written to Mr. Stephens in Montreal saying he had employed Mr. Griffith. Mr. Griffith was appointed to collect information from the C.P.R. and C.N.R. I have here the letter which Mr. Kyle sent and it may be a question as to whether it is proper to put that in here. It is undoubtedly a matter between one engineer and another and I won't read it but I will hand it to his Honor.

Mr. CAMERON: It is purely confidential.

Mr. MOWAT: But you see it comes directly within the scope of the face put upon it by Mr. Kyle, that courtesy requires him not to take any engineers from any other railway.

By the COMMISSIONER: That is the letter that you sent? A. Yes.

"Winnipeg, July 17th, 1903.

"Mr. J. R. Stephens,
Asst., Chief Engineer,
Montreal, Que.

"Dear Sir:

"I beg to acknowledge receipt of yours of the 11th inst., confirming your "wire of the same date regarding employing Geo. L. Griffith. I have em- "ployed Mr. Griffith and started him to work obtaining information regarding "the country west and east of Winnipeg in as quiet a manner as possible, so "as not to excite any suspicion as to who he is getting the information for. "In this manner he is able to obtain valuable information as to the work that "the C.P.R. and the C.N.R. are comtemplating this year. As soon as I get "this information in shape I will forward it to your office.

"Yours truly,
(Sgd.) G. A. Kyle,
Div. Engr."

By Mr. CAMERON: Q. With reference to Mr. Leigh Allen, there are two letters now in evidence written by you to him. Is it Mr. Leigh Allen or Hugh Allen, which is his name? A. Both refer to the same man, Leigh and Hugh Allan—I think it is Leigh Hugh; it is the same man. Mr. Allan, his father, is a Scotch Canadian and I think lives in Montreal; but anyway Mr. Allan's son, Hugh was educated in McGill College.

Q. This very young man you are speaking of? A. Yes.

Q. Was he a graduate of McGill in the engineering branch? A. I would not be sure about that but he graduated in McGill College, I think and he is a personal friend of mine and of course ——

Q. How old is he? A. He is about twenty-one or twenty-three years old.

Q. Has his father been a friend of yours? A. Yes. His father has a position on the Northern Pacific Railway, he was a friend of mine, and this letter was only meant as a kind of josh.

Q. Josh is rather a technical term; I don't know that the court will exactly grasp the meaning of it? A. I meant it in a sort of joke really when I wrote it; I didn't mean to cast any reflection upon anybody at all.

Q. Something has been said also about another letter that you wrote to Mr. Davis in which you used the term "natives"? A. I meant simply the Indians. In referring to parties east of here we were filling all the inferior positions with Indians, such as hackers and canoe men.

Q. Now with reference to the general outline of the work with which you were connected until your resignation. What was it your object to secure? A. Endeavoring to secure the highest grade that the country could afford, and of course the least curvature and shortest distance. It is very necessary to take all these things into consideration. We were entitled to get a three-tenths grade from the south branch of the Saskatchewan River to Fort William, only it was a very different proposition from getting the one per cent. grade, one-twenty-fifth, which most of these lines in Canada are now located on and engineers should be of a very high class in order to obtain those light grades.

Q. In your opinion what value would local knowledge have to an engineer, in securing such a grade as that which you were seeking. A. I don't see how it could make very much difference. It is more the experience of a man than local knowledge. A person can very easily get local knowledge by going over the country and consulting the records but you can't get the experience in that way.

Q. A good many of the Canadian engineers were employed by the Canadian Pacific as you know? A. Yes.

Q. And also by the Canadian Northern? A. Yes.

Q. Are there many employed as such on the other side of the line? A. Oh, quite a number—a great many.

Q. Have you personal knowledge of any of these Canadians who are so engaged in the United States? A. Well, I know two that I could mention.

Q. You might just mention those gentlemen's names? A. One is Mr. Stewart, assistant Chief Engineer of the Great Northern.

Q. Do you know the initials of Mr. Stewart? A. I think it is A. P. Stewart if I am not mistaken.

Q. You cannot speak with any certain knowledge of course of Mr. Stewart's salary. You might speak of it from any general knowledge, if there is no objection on the part of my learned friend? A. My understanding is he gets $5,000 a year. He was offered a position on the Grand Trunk besides and didn't accept it.

By the COMMISSIONER: Q. Have you got the letters? A. No sir, I haven't the letters but I understand that. It came from a party who knows.

Q. Mr. Stephens? A. Yes.

Mr. MOWAT: These are matters of sentiment and more for the matter of expediency and I am not going to take too narrow an objection. We have no interest in this.

Q. I would like to know the name of them? A. W. D. Barker and another engineer.

Q. Formerly of the C. P. R.? A. I think so.

Q. His position is with Foley Bros. at a very large salary, but that is a matter of private business into which we will not enquire? A. Yes. I know there are quite a number, but personally that is all I can speak of. On the Great Northern there are quite a number of them; I don't know their names; I wouldn't like to speak definitely.

Q. In fact a statement was made by Mr. Hill to that effect very recently? A. Yes.

Q. On your examination either by his Honor or by Mr. Mowat you stated that it was your instructions from the first to give the preference to Canadians? A. Yes, that was the instructions.

Q. As early I think as over one year ago, May 1903? A. I don't exactly remember the date but it was always understood we would give the Canadians the preference. That was the understanding I had.

Q. Have you intentionally adhered to that policy? A. My records and the records in my office will show that. For instance there are seven Assistant Engineers and six of them are Canadians or British subjects, and the other I didn't hire myself. Take the staff, I think roughly—I have not figured that up exactly—I think there are about 15 per cent Americans and 85 per cent. Canadians and British subjects.

Q. When you use the term "staff" what do you mean? A. I mean all draughtsmen, levelmen, topographers, transitmen and including Assistant Engineers. By the way, I didn't hire several of the staff, as was brought out in evidence. I claim that I have carried out my instructions to the best of my ability under the circumstances whereever we could obtain them. Of course there are one or two cases where I might have brought in men, that is, probably one or two cases where I might have got somebody if I had looked around, but that is all. In the main I tried to, and I think I have followed the instructions to the best of my ability. That was my intention.

Q. Mr. Griffith, when he was on his work, made a couple of reports to you in the region surrounding the English River when he was out there? A. Yes.

Q. I intended to ask you to bring his reports, Mr. Kyle, I have forgotten that? A. I didn't bring them.

Q. Are they lengthy? A. Well, somewhat lengthy. There is one report—I think there is just one report east of Winnipeg.

Q. Is it a long report? A. Fairly long.

Q. Would it take long to have a copy of it run off? A. No, not so very long; it is quite a lengthy report though; it would not be much of a job though.

Mr. Cameron: I would I think like to put in a copy of that report.

Mr. Mowat: That opens up a rather serious phase that we are not able to consider when the maker of it is present. It does not seem to be important as far as this is concerned.

Witness: I don't care to have the report go in.

Mr. Cameron: We are not very particular if Mr. Mowat objects.

Q. You have heard no doubt some evidence about Mr. Stephen's personal habits? A. I heard it here in court.

Q. You have known him for a number of years, have you not? A. I have known him since about 1890.

Q. He has been a busy man in all that time engaged in the practice of his profession whenever you have been needing him? A. Yes.

Q. What have you to say to that evidence which you heard as far as your knowledge goes? A. As far as my knowledge goes I have seen Mr. Stephens in Winnipeg every time he has been here and I say I have never seen him under the influnce of liquor.

Q. And necessarily you have been brought in pretty close connection with him? A. Yes, quite a good deal.

Q. It is understood that Mr. W. E. Mann is back in Mr. Kelliher's place? A. Yes.

Q. He took Kelliher's place and Kelliher took yours? A. Yes.

Mr. Mowat: I do not propose to re-examine Mr. Kyle on behalf of the Government as to what he has recently said in answer to my learned friend because that has already been given in chief. If I were to go minutely into the matter it would simply take several hours. I want to give Mr. Kyle every opportunity to explain, but his explanations have all been made with the facts that have been brought out here.

By the Commissioner: I understand that you have appointed Mr. Mann to Mr. Kelliher's place? A. No sir, I have not.

Q. Who has? A. Mr. Kelliher, I suppose.

Q. Do you know at what salary? A. I understand $175.

Q. That is $25 increase to what he had been getting when he was discharged by Mr. Van Arsdol? A. Yes.

Q. Why was that? A. As we state we have two prices according to the ability and so forth, and I suppose he considered Mr. Mann. was a capable man.

Q. Notwithstanding Mr. Van Arsdol's report to Mr. Stephens? A. It is a matter of personal opinion largely. One engineer might think an engineer was good and another might think he was not good.

Q. You don't know the reasons? A. I don't know the reasons your Honor at all.

Q. I have looked among some of the files with reference to these letters that you have put in. There is a letter to Mr. J. G. MacDonald put in? A. Yes.

Q. It is dated the 28th April. I find that his application was for locomotive engineer? A. Yes.

Q. That is the application dated April 21st, 1904? A. Yes. I didn't notice what that was. (See p. 113 of letter book.)

Q. Mr. Roger Hoogland sent in a letter of application, which you term as Axeman, dated 4th April, 1904? A. Yes. (See pages 111 and 112 letter book.)

Q. You also put in a letter that you wrote to Mr. Clyde M. Cram in answer to an application from him. He seemed to have entered as for an axeman, too? A. Yes.

Q. His letter is dated Minneapolis, April 5th, 1904. (See page 112 letter book.) A. Yes.

Q. Do you know the position Mr. Leigh Allan applied for? A. He applied for a position as transitman.

Q. He is an American citizen? A. I think he is. I am not sure of that.

Q. In fact you know his father? A. His father is a Scotch Canadian.

Q. Isn't his father an American citizen? A. I don't know.

Q. He is in Idaho? A. He lives in Washington.

Q. Is Mr. Davis also that you wrote to an American citizen? A. Yes, he is an American citizen.

Q. Mr. Kingsford wrote for a position, that of draughtsman I see? A. Yes.

Q. You have not his application? A. I didn't see it there.

Q. Nor Mr. Moss' application? A. I didn't see it.

Q. Do you know Mr. R. W. Jones, District Engineer? A. Yes, I know him.

Q. He was born in Iowa? A. I didn't know where he was born. I really thought he was a Canadian myself.

Q. But that has been sworn to? A. Yes, I understand that.

Q. Do you know whether he is an American citizen? A. I don't know anything about it only what I have seen.

Q. Mr. Stephens' assistant Chief Engineer is an American? A. I understand he is, yes.

Q. You know it? A. Well, I am pretty sure of it.

Q. Mr. Kyle, yourself, is an American? A. Yes.

Q. Mr. Van Arsdol is an American? A. I understand he is.

Q. Mr. McNeil is an American? A. Yes.

Q. Is Mr. Knowlton an American? A. I don't know about Mr. Knowlton. I think he was born in Canada. I don't know whether he has taken out his papers or not.

Q. It is stated he has? A. I don't know anything about it.

Q. Out of those there is Mr. Stephens, Assistant Chief Engineer yourself, Mr. Van Arsdol and Mr. Knowlton Div. Engineers; Mr. McNeil, District Engineer, Mr. Jones, District Engineer, and Mr. Hannington—there is no doubt about his being a Canadian? A. I should not think so.

Q. Mr. Bacon is an American? A. Yes.

Q. Mr. Allan is an American citizen? A. Yes, he testified he was.

Q. Mr. Mason is an American citizen? A. Yes.

Q. Mr. Mellen is an American citizen? A. I know Mr. Mellen. I think he is.

Q. And his brother at Edmonton, Chief Clerk, is an American Citizen? A. I never met his brother.

Q. Do you know him? A. I never met him.

Q. Do you know about him? A. I know about him: I know he is there.

Q. Mr. Sprague is an American citizen? A. I never saw Mr. Sprague.

Q. You have heard of him? A. I have heard of him.

Q. Mr. Douglas Kyle is an American citizen? A. Yes.

Q. Do you know what Mr. Robinson is who is draughtsman with Mr. Sprague? A. I don't know him at all.

Q. Mr. John Callaghan Engineer for party No. 17? A. I don't know him.

Q. It is stated he is an American citizen? A. I don't know anything about that.

Q. And Mr. Hare? A. I don't know about him.

Q. Do you know Mr. Nichoson? A. No.

Q. It is stated he is an American citizen? You don't know that, however? A. I don't know that.

Q. Mr. Colladay, he is an American citizen? A. Yes, I think.

Q. He is under your jurisdiction? A. Yes.

Q. Mr. Baxter is an American citizen? A. I don't know.

Q. Mr. W. A. Anderson, topographer, is he an American citizen? A. I think he is, too.

Q. In Mr. Kelliher's late party Mr. Green and Mr. Fink were American citizens? A. I heard they were.

Q. They are under your jurisdiction? A. They were, yes.

Q. And in party No. 9 Mr. Meador and Mr. Parsons have sworn they were American citizens? A. Yes, I believe they did.

Q. And in party No. 2, Thunder Bay, Mr. Fairchild has sworn he was an American citizen? A. Yes. I would like to make a statement about him. It was rather intimated that Mr. Fairchild was put in ahead of Mr. Goddard. The way I understand that matter, the way I know it was, Mr. Fairchild, when he came, was given position as topographer at $75 per month while Mr. Goddard was getting $85 in the office; he wouldn't accept that; when he was getting better pay than Mr. Fairchild, of course, he wouldn't accept that position.

Q. You have heard where Mr. Mayo was born and brought up? A. Yes.

Q. You know Mr. Goodman? A. Yes.

Q. He is an American citizen? A. I think so.

Q. He is in the Montreal office with Mr. Mellen and Mr. Stephens? A. Yes.

Q. You don't know about the parties east of here, do you, under Mr. Knowlton? Do you know party No. 1? A. I don't know anything about it.

Q. The Assistant Engineer, Mr. Taylor? A. No sir, I don't think so.

Q. He is stated to be an American citizen? A. He is not there now.

Q. Yes, there now? A. I don't know him.

Q. J. D. Nelson, party No. 4? A. No sir, I don't think I know him.

Q. Do you know the parties under Mr. Van Arsdol now? A. I had charge of parties 13, 14 and 15, and 16 when they were first organized.

Q. You don't know who compose these parties now? A. No sir, I couldn't say.

Q. Mr. Gunn. You don't remember him? A. I think I remember.

Q. He is an American citizen? A. I don't know.

Q. He swears so? A. I think I noticed the evidence.

The COMMISSIONER: I intended to examine Mr. Stephens about these questions but he has not turned up.

Q. Do you remember obtaining an application from Mr. F. G. Ford with testimonials added on the 27th August, 1903, from Buenos Ayres? A. I don't remember that.

Q. That is among your files? A. I don't know whether I answered that or not; it is not marked.

Q. It is not marked as being aeknowledged? A. No sir. It might possibly be.

Q. You don't find any answer in the letter book? A. I don't remember that in particular now.

Q. He seems to have very good testimonials? A. I don't remember whether it was directed to me or came to the Montreal office.

Q. It was here in your files at any rate? A. Yes. I don't remember how that came up now.

Q. The application is as follows:

"The Manager,
Grand Trunk Pacific Ry.

"Dear Sir:—

As I understand your company is about to commence a Trans-continental "construction. I address these lines to offer you my services in connection "therewith should you have a vacancy and desire them.

"I am in my 23rd year and a student of Int. C. E. and have been occupied "in the engineering profession since 1897, when I entered the Central Tech- "nical College of the City & Guilds Institute at London; remaining there for "three years and obtaining a 1st class certificate in the engineering depart- ment; leaving there at the end of the course I came to this Republic, and entered the drawing office of the Central Argentine Railway, remaining there "about six months, from there I was sent in the surveys of the Firmat & Rio "IV extension (about 170 miles) and prepared estimates for same, afterwards "assisting in the construction of same.

"Leaving the Central Railway at the beginning of this year I entered "the services of the Buenos Ayres Western Railway, as Assistant to the En- "gineer in charge of the earth works on the Flora to 5th Meridian extension; "when these were finished I was placed in charge of the rail head and lining "and levelling where I am at present engaged.

"I enclose copies of my testimonials, and have no doubt the persons mentioned therein would be pleased to answer any further particulars you would care to know.

"In the event of your considering my application, I should be pleased "to sign a contract for some definite period.

"Also, I can terminate my present engagement by a month's notice.

I remain, dear sir,
Yours faithfully,
(Sgd) F. G. Garland Ford."

A. He had no experience in locating at all.

Mr. Mowat: He says he was on surveys?

Witness: I wouldn't consider he was capable of filling the position of assistant engineer and he would not come from Buenos Ayres to fill a position as transitman.

The Commissioner: People come here to settle down? A. Yes, but you would hardly ask a man to come so far to take that salary.

Q. You didn't as a matter of fact ask him anything. A. It seems as though I didn't. I intended to answer all letters. You would hardly expect me to send to Buenos Ayres for an engineer when we could get them closer.

Q. He is a British subject, he is a graduate from the English Inst. of Civil Engineers; he applied for a position and no answer was sent or no notice taken of the application? A. I am not so sure.

Q. I want you to be sure. I am stating that and I want you to see whether it is so or not. I have looked through all the letters and letter books? A. If I didn't I probably thought he was so far away that he would not get here in time if I sent for him.

Q. How long would it take a letter each way? A. To explain that, when we are getting up these parties we usually have but a short time to get them up and if I sent so far away for a man when he would get here there would not be any position; we would have to hold it open for so long.

Mr. MOWAT: Mr. Griffith tells me it is only eighteen days from here.

ALEXANDER A. EGGO, recalled.

By the COMMISSIONER: Q. Have you got the statement? A. Yes sir, (Produced.)

Q. You are on oath. You were asked to go over all the applications for positions as engineers from Canadians. Have you done so? A. In so far as it was possible.

Q. What do you mean? A. For example when I went through the applications filed the name of that man Ford did not appear on this statement because the name was not there.

Q. You mean by "Canadian" British subjects as well? A. Yes.

Q. I find that you have not placed on that list some of the applications of Canadians. Where is Mr. Walsh's name. A. Mr. Walsh's name is not there, neither was Mr. Morse's because I couldn't find it in our book.

Q. There were a number of names which were not in the application book and you were to go through both? A. Those names were all down and that was the statement I had.

Q. You have not got Mr. Walsh's name down anywhere? A. He must have been in the other list.

Q. Where is it? A. It is in the office.

Q. I wanted a complete list; I don't care where you get the list from? A. I knew both Morse and Walsh were left off that.

Q. I want a complete list; I want you to make that out? A. I can't make a complete list unless——

Q. Take all the books and everything else and make it? A. I haven't got that one (Ford's) for instance which you have just read.

Q. There are Canadians who have applied whom you have not got on your list? A. Morse and Walsh are two I recollect.

Q. This is an incomplete statement; it is just as if you never touched it at all as far as my purposes are concerned? A. I can put those three names on.

Q. Are those the only two? A. Those are the only two that came to my mind when I looked it over.

Q. I want to know from the application, not from your mind? A. I couldn't find an application from either Walsh or Morse.

Q. Could you find any notice that an application had been made? A. By Mr. Walsh?

Q. Yes? A. Yes, there is a letter somewhere.

Q. And there are written applications from Mr. Morse; you produced them. You have not put his name down here? A. No. I simply produced the answers.

Q. And his applications too. Don't say you didn't produce the applications. You were handed them back yesterday. A. There were several with two copies.

Q. Just look at your letter book and you will find them. Unless they are taken away since they were taken down to the office. I saw them last night? A. They are not in here because this is the file I have just gone through to make up that statement.

Q. You have not got Mr. Morse there? A. No.

Q. Have you gone through all the files? A. Yes, I went through every letter.

Q. I found his application put away under the head of "axemen" when I found it. I don't mean to say that was done intentionally at all but I say that is the way you very likely must have missed it? A. I went through them all, because you will find a miscellaneous list there.

Q. It is very careless? A. I was to speak of those two.

Mr. KYLE: Did you see a voucher of letters I laid on the file, Mr. Eggo? Were they in that? Didn't you hand me some letters yesterday, your Honor?

The COMMISSIONER: Yes, those were Morse's.

Mr. KYLE: I laid them on the file.

Q. Mr. B. D. McConnell's name is not there. Why is that? I am afraid you are not accurate? A. I am doing the best I can, if these things get mixed up.

Q. It is not mixed up. I pointed out to you myself. I got them the best way I could from your own books? A. Yes.

Mr. MOWAT: This application of B. D. McConnell was sent in to the Montreal office and forwarded here in July, 1903.

The COMMISSIONER: Q. Do you know Mr. Edmond Ballard of Lethbridge? A. I think you will find his name down there.

Q. As engineer? A. Not as engineer; he is under the head of "leveller."

Mr. KYLE: I would like to say those letters have been handled over quite a good deal since we started to make these up.

Q. The COMMISSIONER: I see his name here under "assistant engineer."

Q. Then you have not put Mr. Gzowski's name down? A. Never heard of his name.

Q. And yet it is in your application book?

Mr. MOWAT: It is very extraordinary.

WITNESS: It is not very extraordinary.

Q. I think you wrote the name in the alphabetical book. I think it was in your writing. C. S. Gzowski, Assistant Engineer, 15 Toronto Street, Toronto? A. I don't remember any correspondence with any man.

Q. I know you hadn't any correspondence; it was a personal application? A. There are no personal applications on there.

Q. I wanted all the applications? A. Well, you got the book.

Q. I haven't got the book. I handed you back the book the other day.

There is Mr. A. W. Gasty from the Canadian Northern; F. J. MacIntosh, Canadian Northern, is not here? A. No. I think I heard of Gzowski in connection with the C. P. R. now that you refer to it. I don't know that he was ever in the office.

Q. The entry is I think in your own handwriting, if I mistake not, in that application book. I wish you would go over these and make them perfectly complete and let me have them this evening before six o'clock? A. The only way I can do it is to take those letter books.

The COMMISSIONER: I will give them all to you?

Mr. MOWAT: As your Honor is aware the Canadian Alien Labour Act applies only to the importation or emigration of such persons as reside in or are citizens of such foreign countries as have enacted and retain in force laws or ordinances of a character similar to that Act. I don't know whether the formal proof has been put in but if it is necessary for this commission I will to be printed by the Government of the United States.

Mr. CAMERON: That is admitted. It is the same law.

Mr. MOWAT: I also propose to put in the rule in several States:

State of New York, 1902.

In the Construction of Public Works by the State or Municipality or by persons contracting with the State or said municipality only citizens of the United States shall be employed, under penalty of fifty to one hundred dollars or imprisonment for not less than thirty days.

ILLINOIS:

It shall be unlawful for any board or commission or any officer or other person or for any municipality in the State or any contractor or sub-contractor to employ any person other than native born or naturalized citizens of the United States or those who have declared their intention of becoming citizens.

PENNSYLVANIA:

None but citizens of the United States shall be employed in any capacity in the erection, enlargement or improvement of any public building or work within this Commonwealth.

IDAHO:

No person not a citizen of the United States or who has not declared his intention to become such or who is not eligible to become such shall be employed upon any State or Municipal work.

NEW JERSEY:

It shall not be lawful for the State or any Municipality within the State or for any board, committee, commission or other organization having charge of any public works or any construction to employ as a mechanic or laborer thereon any person who is not at the time of such employment a citizen of the United States.

CALIFORNIA:

No person except a citizen of the United States shall be employed in any department of the State, County, City or town Government in this State. It shall be unlawful for any person when elected, appointed, or commissioned to fill any office in either the State or any municipal government in the State to appoint or employ any person to perform any duties whatever except such person be a citizen of the United States.

Mr. CAMERON: On the question of citizenship a dictum is laid down in Anson's law and Custom of the Constitution, Vol., 1, page 71. A person born abroad, whose father was a natural born British subject, and the son of a person born abroad are to all intents and for all purposes natural born British subjects, always assuming that the father up to the date of birth has done nothing to divest himself of his British nationality. That is the only dictum on that particular point I have ever been able to find.

The COMMISSIONER: We have some decisions on the point.

Mr. CAMERON: Not any that have been reported.

The COMMISSIONER: There is a case reported I think.

Mr. CAMERON: Even the grand-son is still a British subject provided the parent has not naturalized.

The COMMISSIONER: Provided the person in question has not divested himself by voting or taking upon himself———

Mr. CAMERON: He is quite at liberty to do that.

The COMMISSIONER: I don't know that that applies to any of our cases. We had that case up in Regina.

Mr. CAMERON: Yes.

The COMMISSIONER: That young man voted for president and different officers. He was born in the States.

Mr. CAMERON: As to whether even that would divest his allegiance to the Parent Country is a question. Germany contests that.

The COMMISSIONER: We are not dealing with Germany.

Mr. CAMERON: It shows at least a case of doubtful nationality.

The COMMISSIONER: The law on that subject goes this far: If his father is a British subject and has lived all his life in the United States, while the children are born in the United States and they live there and do not take upon themselves American citizenship they are British subjects. There is no doubt about that being the law.

Mr. CAMERON: As to my friend from the Argentine, if he has any grievance in this matter it is something that cannot be investigated under the terms of this commission, and noting that I wish to make an objection that by the commission—though I quite well now know that it is too late—the operative part reads: "To ascertain the name nationality, nature and time of employ-"ment, remuneration and actual bona fide residence at the time of the em-"ployment of each person heretofore or at present employed in connection "with the survey of the proposed Grand Trunk Pacific and also the names of "all Canadians or bona fide residents of Canada who have made application "for employment, the nature of the employment applied for and the result "of their application." Thereby instructing your Honor to enquire, so to speak, to find out the grievance that may be had by those who have failed to procure employment, but only in the case of Canadians or bona fide residents of Canada.

The COMMISSIONER: I know that, and the report must follow that.

Mr. CAMERON: If I had been present at the settling of the minutes of this Commission I would have asked that it should conform to the provisions of the Alien Labour Law and not confine it to bona fide residents of Canada, simply confining the benefits of the law to them, but that those benefits should include Canadians wherever resident, even if temporarily absent and residing in the United States or elsewhere at the present time.

The COMMISSIONER: Canadians are Canadians all the world over. *Bona fide* residents of Canada means British subjects other than Canadians.

Mr. CAMERON: The intention of the Alien Labor Act was not to discriminate against them in any way.

The COMMISSIONER: The Alien Labor Act only intends to discriminate against an alien nation that has passed a similar act. England has not done so yet.

Mr. CAMERON: While it was directed against the United States because it had originally passed such a law, our law really was aimed in no other direction than that. But, the object of our law was not to protect ourselves against citizens of the United Kingdom, and therefore what I say is that the restriction in this Commission is not in compliance with the policy set out in the Alien Labor Law itself.

The COMMISSIONER: I don't think there is any one who is really complaining from England about it.

Mr. CAMERON: No, I don't say that, but a strict application of the wording of this Commission, in the case of our friend Kelliher, might tell against him when I am satisfied that the intention of Parliament was not to include any such case as this. It is only to be used against persons who are American citizens and employed in the States. That is really what it is. I intended to call your Honor's attention to that peculiar wording of the Commission.

I would not contend and have no intention of arguing any statement or making any statement or argument on the facts which have been presented on the evidence taken here and in Regina at which I have attended myself. I might possibly like to submit a written statement to your Honor, and if I do so I will send it to my learned friend Mr. Mowat.

The COMMISSIONER: I will be pleased to have anything of that nature. It always assists very materially in making up the report.

Then we adjourn, subject to Mr. Eggo producing the list at 6 o'clock tonight, commencing the investigation at North Bay on Monday next, June 27th, at 10 o'clock, a.m.

North Bay, Ont., 27th June, 1904.
10 a.m., Court House.

THE COMMISSION resumes.

Present: His Honour Judge Winchester, Commissioner.
" H. M. MOWAT, representing the Government.
" A. G. BROWNING, representing the Grand Trunk Pacific.

Mr. GEORGE A. KNOWLTON, being sworn.

By THE COMMISSIONER: What is your name in full? A. George Almas Knowlton.

By Mr. MOWAT: Q. Are you division engineer for the Grand Trunk Pacific at North Bay? A. Yes sir.

Q. What is the extent of your jurisdiction? A. From North Bay to around north of Dinormic.

Q. How many miles about? A. About 800.

Q. How long have you been in this position? A. Since the 22nd April, 1903.

Q. I understand that you entered into this engagement in Montreal? A. Yes, sir.

Q. Is it a fact as certified here that Mr. W. C. Knowlton is your brother? A. No, W. H.

Q. Was written to by Mr. Stephens? A. I know nothing about that.

Q. You do not know that he was written to and suggested your name? A. I know nothing only by hearsay.

Q. From your brother? A. No, sir.

Q. From Mr. Stephens? A. No, sir.

Q. We have already heard from Mr. Stephens who said you came to Montreal, how long after he had written to your brother? A. I don't know

Q. Don't you know about how long? A. No, I know nothing about that at all.

Q. You were informed by Mr. Stephens that he had written to your brother W. H. offering him a position? A. Simply by hearsay.

Q. That is hearsay from Mr. Stephens? A. No not from Mr. Stephens.

Q. From whom? A. From Mr. Kyle.

Q. By letter or from conversation? A. By conversation when I reached Montreal.

Q. So Mr. Kyle was there and it was from him you learned that Mr. Stephens had written to your brother? A. Yes, sir.

Q. Where had you been living at that time in the States, April, 1903? A. My family was in New York at that time.

Q. Were you in a position at that time? A. Yes I was division engineer on the New York Central.

Q. Where were you living, your headquarters? A. My headquarters were at Kerwinsville.

Q. As division engineer? A. Yes.

Q. How long were you in that position? A. About four months.

Q. And before being employed as assistant engineer on the New York Central where had you been employed? A. In Missouri, Kansas and Texas

Q. How long? A. About a year.

Q. What as? A. Division engineer.

Q. On construction? A. Yes.

Q. Previous to that on what line were you employed? A. Previous to that I was with the Great Northern.

Q. Stationed where? A. My headquarters were Kalispell.

Q. How long had you been with the Great Northern? A. Well I was with them a little over a year.

Q. On construction? A. On location.

Q. And previous to that? A. I did some work in Kentucky, reconnaissance and report for a road through the mountains in Kentucky that they were prospecting.

Q. That takes us back to what year? A. Kentucky two, elsewhere six, I have left that record in my office I have a record since I started.

Q. You might bring that this afternoon? A. Yes I will, I do not remember just what year that was.

Q. How many years ago about? A. I think it is about four years ago I went east, but I can give you the exact information.

Q. Before the reconnaissance work in Kentucky where were you? A. I was on the Northern Pacific.

Q. Headquarters where? A. St. Paul.

Q. For how long? A. I was with them a little over a year.

Q. What position? A. Assistant engineer.

Q. In maintenance? A. In location also in reconnoisance.

Q. What length of line? A. Well I had a division of 50 miles to locate and constructed about 100 miles for them and made reconnaissance over 130 miles.

Q. In what States? A. The reconnaissance was in Manitoba and the construction was in Wisconsin.

Q. This is on the Northern Pacific, before that you were with the Great Northern and you went to the Great Northern again? A. Yes.

Q. Where were your headquarters? A. Part of the time at Everett and part of the time at Spokane.

Q. How long with the Great Northern at that time? A. About a year.

Q. That takes us back about seven years, but before that? Q. Before that for about two and a half years I did not work at engineering.

Q. What were you in then? A. Mercantile life.

Q. Did you abandon the engineering before going into mercantile business? A. Yes.

Q. I understand you passed your examination as engineer in 1871 and have been practising as engineer from 1871 down? A. Yes.

Q. All that was somewhere in the United States? A. No, I was in Manitoba.

Q. I mean from 1871 to the time you went into mercantile life? A. Yes.

Q. You had been a resident of the United States for how long? A. 38 years.

Q. Before that I understand you had been in Canada? A. Yes, sir.

Q. Where were you born? A. Near the town of Knowlton in the Province of Quebec. ...

Q. Were your people American citizens? A. No, sir, Canadians.

Q. Had they been resident there? A. Resident there for 38 years.

Q. You were ten years old then when you went with your parents to the States, to what State? A. Ohio.

Q. Is your father living? A. Yes.

Q. Is he an American citizen? A. Yes.

Q. Do you know when he took out papers? A. I understand he was not obliged to take out any papers as his father was an American who had moved to Knowlton, Que., my father being then six years old.

Q. And you understood he did not require to take out any papers? A. No.

Q. And I suppose during your residence in the States you had all the privileges and rights of an American citizen? A. Yes.

Q. Voted at different times? A. Yes.

Q. For the president? A. Yes, sir.

Q. On several occasions? A. I think twice.

Q. And in the State elections? A. Whenever I was long enough in a place to gain residence I voted.

Q. Then going back to your visit to Montreal, how did you come to go to Mr. Stephens, had you previously known him? A. Yes.

Q. Where? A. In Oklahoma.

Q. He was on a branch of the Santa Fé at that time? A. Yes.

Q. Did you work under him there? A. No, I worked on an adjoining road.

Q. Was that the first occasion you had of meeting him? A. Yes.

Q. That was in 1902? A. Yes.

Q. And as a result of that acquaintance you went to him and intimated you would like employment? A. Yes, sir.

Q. Were you immediately employed? A. Yes.

Q. On the first interview? A. Yes, sir.

Q. About the 22nd April? A. Yes.

Q. And immediately sent to North Bay as division engineer and have been here ever since? A. Yes, sir.

Q. Now, Mr. Knowlton, will you tell us who are your parties, have you got a list here. You have several parties I understand, in this division. I don't want you to give all the names, only six or seven names down to topographers and draughtsmen? A. Yes.

Mr. KNOWLTON reads:—Party No. 1, Thomas C. Taylor, assistant engineer.

Q. Is he an American? A. Yes. L. B. Copeland, transitman, Canadian; W. F. Graham, leveller and draughtsman; F. A. Lightfoot, draughtsman; G. Marryatt, topographer.

Q. When was Mr. Taylor appointed? A. I think the 6th of August, 1903.

Q. Did you appoint him? A. Yes.

Q. Had you previously known him? A. Yes.

Q. On what lines? A. On the Great Northern three or four years ago.

Q. On location or construction? A. On location, he never did construction under my direction.

Q. I notice that you say in party No. 2 all the staff are British subjects? A. Yes, sir.

Q. Have you got R. A. Hazelwood employed? A. No, sir, he declined the office, got something better I think.

Q. Party No. 3, you say these are all British subjects? A. That is what they claimed to be.

Q. Who is in charge of No. 4? A. Mr. Caldwell.

Q. What are his initials? A. W. R. Caldwell.

Q. When did Mr. Nelson give up, when was he called in? A. The first of this month, he was discharged for good reasons.

Q. Party No. 5 is in charge of Mr. Gzowski and they are all British subjects? A. Yes, sir.

Q. Party No. 6, John S. Tempest, and you think these are all British subjects? A. They are as far as I know.

Q. Party No. 7 is Mr. Gaylor's, when was he appointed? A. I do not just remember the date but it was in May or April, the latter part of April.

Q. C. F. Gaylor? A. Look at the pay roll and you will see it there.

Q. In your own office there is Mr. G. W. Stadley, chief draughtsman? A. Yes, sir.

Q. He, I understand, is an American citizen? A. Yes, he was employed at the Soo for a time.

Q. Is Mr. J. M. Fotheringham assistant draughtsman? A. Yes, sir.

Q. When was he appointed? A. In March I think.

Q. In March of this year? A. Yes, sir.

Q. You had not known him previously? A. No, sir.

Q. Did he send you any testimonials as to previous employment? A. He worked for Mr. Stadley at the Soo, is a graduate of Queen's College.

Q. Mr. D. S. McLeod is from Montreal, he is your chief clerk? A. Yes, sir.

Q. Mr. Jandrow stenographer and Mr. Bunyan junior clerk? A. Mr. Bunyan is a citizen of North Bay.

Q. I think you stated in passing that Mr. Nelson had been discharged for cause? A. Yes, sir.

Q. Was he not a good engineer? A. Well I have nothing to say as to his engineering.

Q. His personal habits were the trouble? A. Yes, his personal habits.

Q. Mr. Nelson was an American citizen was he not? A. Yes, I think he was an American citizen, he had been in this country about four years before on the Algoma Central.

Q. Mr. Hannington is your district engineer? A. Yes, sir.

Q. Formerly engineer in charge of a party and about the 11th of January promoted to the position of district engineer? A. Yes, sir.

Q. You have had no difficulty in finding young men suitable for the positions on the staffs of these parties? A. No not to any great extent.

Q. Have you made many changes in the last six months in the positions of transitmen, levellers? A. I have not excepting of men whom I discharged for reason.

Q. Had you any reasons for dismissing them? A. Yes, sir.

Q. How many men have there been appointed in the last six months? A. Mr. Copeland in party No. 1, I think that is all.

Q. Who was appointed in Mr. Copeland's place? A. Mr. Lightfoot.

Q. Who was appointed in Mr. Nelson's place? A. Mr. Brobeck.

Q. How did you come to appoint Mr. Brobeck? A. I have known him for a couple of years.

Q. As draughtsman? A. Yes, sir.

Q. On the American lines? A. Yes.

Q. On what lines? A. On the Oregon River Railway and Navigation Company with headquarters at Tacoma.

Q. How long has your acquaintance been with him? A. I first knew him 16 or 17 years ago.

Q. You did not require any testimonials to accompany his application? A. No, sir.

Q. Where was he when you employed him? A. Montreal.

Q. His letter to you is of May 26th, 1904, it reads:

"Albion Hotel, McGill Street,
"Montreal, May 26, 1904.

"G. A. Knowlton, Esq.,
"Div. Engineer, G.T.R.R.,

"Dear Sir,—Wrote you a letter yesterday asking for a position. I see by to-day's paper that there is a kick against aliens being used on the survey. I am, however, a naturalized British subject, so the kick cannot hit me.

"If possible give me a job and I will try to acquit myself to your entire satisfaction. "Yours very respectfully, "ERIC R. BROBECK."

Q. It was on that letter that you appointed Mr. Brobeck? A. Yes, sir.

Q. Well have you tried in filling these positions to get Canadians and British subjects? A. Yes, sir.

Q. Since when? A. I did since the question has been raised.

Q. When did you first know of the question being raised? A. Well I don't know, I don't remember. I read articles in the papers and since that time I have strictly adopted that position.

Q. I notice that Mr. Stephens wrote you asking for the nationality of your employees, do you remember that? A. Yes, sir.

Q. And you wrote him on the 29th March, 1904, saying that in compliance with his circular letter of March 26th you submitted the following as your office staff: Chief clerk, Canadian, Montreal; stenographer, Canadian, Belleville, then Mr. Spangenberg, Mr. Jandrow is in his place now? A. Yes.

Q. Assistant draughtsman, Canadian. At that time was it Mr. Fotheringham? A. Yes.

Q. Party No. 1, assistant engineer in charge, American, residence Seattle.

Q. Party No. 2 and 3 all Canadians or British subjects:

Q. Party No. 4, assistant engineer, American. That was Mr. Nelson at that time? A. Yes, sir.

Q. Party No. 5, engineer and all staff officers Canadians.

Q. Party No. 6, engineer Canadian, who was that? A. Mr. Nutting.

Q. Party No. 7, assistant engineer British subject, that was Mr. Pim, to whose place you appointed Mr. Gailor? A. Yes, sir.

Q. In looking through your letter book in answer to applications from Americans for positions I notice you wrote to Mr. W. H. Larson, Omaha, Neb. Did you know him? A. No, sir.

Q. You wrote him on the 29th March, 1904:

"North Bay, March 29, 1904.

"Mr. W. H. Larson,
"2601 S. 32nd Avenue,
"Omaha, Neb.

"Dear Sir,—Yours of March 23rd received, and in answer will say that I have nothing to offer you and the prospects are not very good for the summer, as we do not expect we shall be doing any construction. My preliminary and location parties are full.

"They make very serious objections in Canada to hiring men from the States. In fact, anyone who are not citizens of this country, and as our work is to a certain extent a government project, we are compelled to comply with their wishes.

"Yours truly, "GEO. A. KNOWLTON, Div. Engineer."

Q. That is apparently the first letter you wrote mentioning this objection to Americans? A. Yes, sir.

Q. That is probably owing to the fact of having got this letter from Mr. Stephens and having to make a change? A. Certainly after receiving instructions from Mr. Stephens I could not do otherwise.

Q. I am trying to find out how it would come to your mind that as the railway is a government project in its character you are seeking to employ only British subjects. I am trying to find out when that was. Did you agree with Mr. Stephens at the time you visited him to make this statement in letters to Americans? A. I think there are some previous to that.

Q. I have not been able to find them. I notice you also wrote to Mr. Larson on the 27th of April, 1904, saying:

"North Bay, April 27th, 1904.

"Mr. W. H. Larson,
"2601 South 32nd Avenue,
"Omaha, Neb.

"Dear Sir,—Your letter with recommendations attached received and I have noted same carefully, but I am sorry to say that I have nothing to offer in the way of work at present. There are very serious objections raised to employing Americans, and as a greater portion of my section is on government work we are compelled to give the preference to Canadian engineers. However, I will place your application on file and will state that should I be compelled to go to the other side for men your application shall have the earliest consideration."

"Yours truly, "GEO. A. KNOWLTON, Div. Engineer."

Q. This is a pretty difficult proposition up north here in the way of engineers in location? A. Yes, sir.

Q. You early came to that conclusion, did you not? A. I knew it since ever undertaking the work.

Q. Do you remember a letter you wrote to Professor C. H. McLeod of Montreal asking if he could recommend one or two good men to you; that was on the 17th March, 1904? A. Yes.

Q. I will read the letter:

"Prof. C. H. McLeod, "North Bay, March 17th, 1904.
"877 Dorchester Street,
"Montreal.

"Dear Sir,—Do you know any good locating engineers that you could recommend? They must be good men of experience, good bushmen and rustlers and willing to undergo extreme hardships. It is very possible that I could place one or two such men if I knew where to get them."

"Yours truly, "GEO. A. KNOWLTON, Div. Engineer.

Q. Was it at Mr. Stephens' suggestion that you wrote that letter? A. No, sir.

Q. How did you know about Mr. McLeod then? Who was he? A. He was secretary of the Canadian Association of Civil Engineers.

Q. You had not had any letter from Mr. Stephens regarding an application from him? A. No, sir.

Q. Did you inform Mr. Stephens that you had applied to him for engineers? A. I did later.

Q. And what did Mr. Stephens say to that? A. I don't remember. I don't think he ever did anything.

Q. Did you inform him in conversation? A. I did at first and he asked me then if I would send him a copy of the letter.

Q. And you did so? A. Yes.

Q. I see he wrote you on the 2nd of May and you wrote to him on the 14th April, saying:

"Dear Sir,—In compliance with our conversation while you were in my office the last time I enclose herewith copies of letters to C. H. McLeod, Secretary Canadian Society Civil Engineers and J. S. H. Bogart, Professor Queen's College, Kingston.

"Yours respectfully, "GEO. A. KNOWLTON, Div. Engineer."

Q. Then Mr. Stephens wrote you on the 2nd of May:

"Dear Sir,—Referring to your letter of April 14th in which you enclosed copy of a letter written to Professor McLeod, kindly let me know if you received a reply to your query and, if so, will you please let me have a copy of it."

Q. Did you send him a copy of that letter of Mr. McLeod? A. Yes, sir, I think I did so, I am pretty sure I did.

Q. Well what officers did you want at the time you wrote to Mr. McLeod? A. I wanted some engineers to take charge of parties.

Q. How many? A. Two.

Q. Which parties? A. Nos. 3 and 7.

Q. That was at that time Mr. McLennan's party and Mr. Pim's party? A. Yes.

Q. Mr. McLennan was a competent engineer was he not? A. Well.

Q. I mean to say as regards engineering? A. I prefer not to say these things. Unless absolutely necessary I do not wish to injure a man's reputation, but in the existing conditions I did not consider him a competent man, in other words the work that is required by the company was not being done as it should be. That is his bookkeeping and returns were not good. I mean his reports of his engineering work.

Q. Did you ever complain of that before? A. I think you will find several very sharp letters which he ignored and if a man does not pay attention to orders he is no use.

Q. But this was a matter of sending reports? A. These complaints did not refer so much to his engineering work as to careless work in his return. It is like this if you have a man out to do a piece of work, he may do the work properly but if he does not tell you how it is done nor report to headquarters it is utterly useless.

Q. I do not know that you made any complaint as to that? A. I think that you will find a letter in there in which I told him that he plotted in contrary directions.

Q. I will let you get it? A. It is there.

Q. Now Mr. Gaylor applied to Mr. Stephens with whom he worked? A. No, I asked Mr. Stephens if he knew of a good man.

Q. You stated it was through Mr. Stephens? A. Yes, sir.

Q. There were quite a number of applications sent in to Mr. Stephens were there not? A. Yes.

Q. I notice that you wrote a letter on April 5th of this year to Mr. George A. Morris, Civil Engineer, Syracuse, N.Y.:

"Dear Sir,—Your letter addressed to Mr. G. W. Stadly, under date of March 17th, has been referred to me, and in reply will state that I have nothing to offer you in the direction indicated. They object very strenuously to employing men from the United States and as my work is to a large extent on the Government section am compelled to act in accordance.

"Yours truly. "GEO. A. KNOWLTON, Div. Engineer."

Q. There is also a letter on the same date to Mr. Jos. D. Evans, 95 Milk Street, Boston, Mass.:

"Dear Sir,—Your letter under date March 17th addressed to Mr. G. W. Stadly, has been referred to me, and in reply will state that I have nothing to offer. May state that there are very serious objections to employing men from the United States on this work and in view of the fact that my work is to a large extent on the Government section I am obliged to act accordingly.

"Yours truly,
"GEO. A. KNOWLTON, Div. Engineer."

Q. You speak of being obliged, of being compelled, Mr. Knowleton, do you consider that it was compulsion only that made you refuse these applications of Americans? A. No, sir, not at all that way.

Q. On the same date you also wrote to Mr. Hood Tucker in reply to his letter of the 17th ultimo addressed to Mr. Stadly. Now how does it come that you wrote three letters on the same day answering three letters of the same date 17th of March, addressed to Mr. Stadly, how can you account for them, did Mr. Stadly seek to get applications from the United States? A. I don't think there was anything particular. I will tell you how that came about. When Mr. Stadly came here he had been working in Canada for several years and I asked him if he knew some men.

Q. He said he would try and find you some? A. Yes, and unknown to me he wrote to an engineer employment agency at Syracuse. Several of them through the country were making a specialty of it and had applications on hand and informed these people to this effect.

Q. I see reference to an employment agency in Syracuse which I suppose had an advertising newspaper in connection with its work? A. I don't know.

Q. Do you know their method of making known positions to engineers? A. It is a personal matter to them, labour of that kind of whatever line they have applications for, you write them and they write to the applicants.

Q. Done by correspondence and not by advertisement? A. Yes.

Q. Keep a roster there of men seeking employment? A. Yes.

Q. And this accounts for this number of letters? A. Yes, sir.

Q. I notice that there are a very large number of applications here from Canadians? A. Yes, sir.

Q. I notice levelmen there are about 44, topographers 7, rodmen 46, chainmen 23, draughtsmen, 27. These appear on this list which was given me by your chief clerk from your office? A. Yes, sir.

Q. Most of which applications you had to decline from time to time on account of having your different parties filled? A. Certainly.

Q. Going back for a moment to Mr. Brodbeck I do not find Mr. Brodbeck's application in this list, perhaps it is in some list not brought down? A. No, it should be in the list of draughtsmen which was brought down this morning, but I will have it seen to.

Q. Mr. McLeod thinks that his name was omitted from this list by inadvertence. I also notice that the name of Mr. J. C. Read has been omitted so you will have to give Mr. McLeod instructions to again prepare a list that will be correct. Now, with reference to Mr. Gailor you had not known him previously? A. No, sir.

Q. I see a letter here from him to Mr. George W. Stadly dated Schuylersville, N.Y., Mar. 18, 1904: probably through the same source, the Syracuse agency:

"I am advised that you are in need of a locating engineer and would like to furnish you with a little information concerning my ability, experience and character in this line which enables me to make application for the position.

"Will say I have had seven years experience in this line and am perfectly familiar with all the details concerning location, construction, etc., and have just finished locating a trunk line through the Mts. of West Virginia for the Wabash system and have my own instruments and can furnish best of references as I am strictly sober and reliable in every way and am not afraid of hard work or rough country as I have experienced all these things.

"Was asst. engr. on twenty miles of work for the Rutland St. Ry. Co. and can either give you letters of recommendation or refer you to my former employers as I think they will give you good satisfaction and report at once if you wished.

"Should I prove unsatisfactory after a fair trial it would cost you nothing for my services."

Does he mean thereby that he would not ask any salary while being on trial? A. That is what I would take it to mean, that is what he says.

Q. You wrote to him on the 5th April, 1904:

"Dear Sir,—Your letter of the 18th ult., addressed to Mr. G. W. Stadly, has been referred to me, and in reply will state, that I have nothing to offer you. They object very seriously to employing men from the United States, and in view of the fact that the greater portion of my work is on the Government section I am obliged to act accordingly."

A. Yes.

Q. Then Mr. Gailor wrote you from Mechanicville, N.Y., on the 12th April, 1904, in answer to yours of 5th:

"Dear Sir,—Your letter of the 5th inst. has been received and contents fully noted. In reply will say that although I have been in this part of the country for some time I call my residence at St. Catharines, Ont., so do not consider I am a native of U.S. Should this be of any help to you in that line I would be pleased to hear from you further."

A. Yes.

Q. Then you wrote him an answer to that on the 21st April, saying that you expect to be in need of a locating engineer some time from 1st to 15th of May and would like him to give answers in regard to the following questions:—

"Are you what we call a good bushman and have you ever handled parties where supplies and camp outfit are handled by canoes and packers? You are probably aware that the country through which we are running lines is a wilderness at present, and anyone taking a position with us must expect to endure maximum hardships. I am not making this statement to discourage anyone taking the position, but I wish to state plainly what they must expect if they take on this work."

Then Mr. Gailor writes on the 23rd April answering that:—

"Your esteemed favour of April 21st at hand and contents fully noted. In reply would say that I do not wish to say that I am an expert "bushman," but have always given satisfaction in that line with my previous employers so take it that I must have been all right.

"You ask if I have handled parties where it was difficult to get supplies to and from the parties, which I am glad to say that I have handled parties under these very conditions and several other modes of conveyances, but handled as high as 46 men on the new Wabash system through the mts. of West Virginia and if you have any rougher or tougher country than that it certainly could not be penetrated by human beings as the hardships we went through and the brush, etc., there, can only be explained by experience in that place."

Then on the 26th April you acknowledged his letter of the 23rd and said:—

"Your letter of the 23rd inst. to hand and I note what you say in regard to your ability to handle parties in a difficult country. I can offer you the following position in charge of preliminary and location work, salary $175 per month and expenses after leaving North Bay and transportation to North Bay from any point on the Grand Trunk system you may designate."

He writes on the 28th April, 1904:—

"I will accept your offer and will come as soon as you give me notice, so think it would not take longer than three days after starting. . . ."

You write him in answer:—"I enclose transportation from Niagara Falls to North Bay. Niagara Falls is our nearest point to Buffalo, as we have running rights only in that city. I will wire you when to leave. . . "

On the 10th May you telegraphed him at Mechanicville, N.Y., "Arrange to report North Bay as soon as possible answer." And that forms the contract with Mr. Gailor? A. Yes.

Q. In employing Mr. Gailor you accepted his word as to his experience and ability? A. Yes, sir.

Q. You did nothing else than that? A. Nothing only that I knew the country that he had been through, having been through it myself and I was satisfied that he had the experience that would enable him to handle a party here.

Q. That is in Western Pennsylvania? A. No, in West Virginia.

Q. A mountainous country? A. Yes, very rough.

Q. What might be called mountainous? A. Yes, without roads.

Q. And you gave him a fair warning that he would have a life of hardship here? A. Yes, sir.

Q. Will you kindly tell me if it was since you arrived that you came to the conclusion that it was a very rough country? A. I do not know that I said that it was a very rough country but a difficult country.

Q. And who took Dixon's place? A. Mr. Taylor.

Q. You have Mr. Taylor's application there, Mr. Mowat, you might let me have it, it is No. 34. Mr. Taylor did not apply for any position on this road? A. No, sir.

Q. On the 17th June, 1903, you wrote to him. He was on the Great Northern Railway at that time in Idaho? A. Yes, sir.

Q. What position did he occupy then? A. I do not know just what position he was occupying.

Q. You knew him personally before? A. I have known Mr. Taylor personally for about six years.

Q. When you were on the Great Northern he was there? A. Yes.

Q. On that date you wrote to him:—

"Mr. Thomas C. Taylor,

"c/o Mr. J. J. Hughes,

"Engineer in charge Great Northern Railway,

"Maples, Idaho.

"Dear Sir,—Would you be at liberty to accept a position as assistant engineer in charge of preliminary location work, at a salary of $175 per month? It is in a country you might say unexplored, and is for what will probably be the Grand Trunk Pacific Railway, but at present we are working under the Grand Trunk proper.

"I cannot say for certain that I will have a position of this kind open, but the indications are such, at present, that it is very probable that I shall have to make a change.

"In case I could offer you a position as chief draughtsman at $100 a month to start with would you accept this?

"I am in charge of a division from Lake Nipissing to north of Lake Nepigon, about 550 miles, and I think the prospects for promotion for you

on the work will be very good. You can rest assured that should you see fit to accept any position here that you will always have my influence to aid you in advancement.

"Please let me know as soon as possible if you would like to come up into this country? Also give me address where a wire would reach you.

"Time and expenses will commence when you report here for work, as that is the rule of this company; but, in case you would come I can arrange transportation for you from St. Paul or Minneapolis."

That was the first letter that passed between you and Mr. Taylor?, A. Yes.

Q. Taylor wrote you on the 25th June from Seattle, Washington:—

"Mr. G. A. Knowlton,

"Engineer in charge,

"North Bay,. Ont .

"Dear Sir,—Yours of the 17th. Would accept a position as assistant engineer as per your letter.

"I am now on the Seattle Tunnel being instrument man on the south end at $125 and pay my own expenses. It is convenient but in some respects not desirable as we take orders from about every one. It is true I have been offered better work provided always that something turns up. But having got left with great regularity in the past do not consider the prospects with the G. N., especially favorable.

"However, I do not think I would be justified at present in accepting a position as draughtsman elsewhere. The Maples, Idaho, work came out very nicely, and I think Mr. Hughes will leave there in a few days.

"Respectfully,

"THOS. C. TAYLOR,

"2017 Norman Street, Seattle."

At that time he was instrument man on the Seattle Tunnel, Mr. Knowlton? A. Yes.

Q. At $125 per month? A. Yes.

Q. Then you communicated with Mr. Stephens, the assistant chief engineer? A. It might be that up to that time I consulted him in regard to all applications for positions.

Q. And after that time and since? A. Yes, sir.

Q. Have you got a letter or wire to Mr. Stephens as to the appointment of Mr. Taylor. If so, you might turn it up? (Hands him letter book.) A. It was in July or August.

Q. But you wrote him before that. The 25th June is the time Mr. Taylor wrote you? When did you write to Mr. Stephens? A. Mr. Taylor's letter was dated the 25th June and the letter should have been sent in July, some time before the month of August. However, I think that I wired Mr. Stephens and will look for the wire.

Q. You think that you wired Mr. Stephens as to the appointment of Mr. Taylor? A. As far as I can remember. Yes, sir.

Q. And Mr. Stephens thereupon wired you on the 31st of July, 1903, from Montreal: "All right, send for your man to relieve Dixon." This is the telegram you received? A. Yes, sir.

Q. You immediately wired Mr. Taylor: "Can offer you position assistant engineer per my letter June 17th to report at once. Wire when you can leave Seattle"? A. Yes, sir.

Q. You wrote to Mr. Stephens on the 1st of August, 1903, in which after referring to Mr. Dixon's health you say:—

"With regard to his successor. As authorized in your wire of yesterday I have telegraphed for Mr. Thos. C. Taylor, who is at present employed with the Great Northern at Seattle, Wash. This gentleman is personally known

to me and I can vouch for his being capable in every respect and am sure he will make us a first-class man.

"He will leave Seattle August 6th for North Bay and I shall be glad if you will kindly arrange to have transportation for him, via the "Soo" line and C. P. R., from St. Paul to North Bay, mailed to him in care of the Ticket Agent, Union Depot, St. Paul, for August 8th."

That was your letter to Mr. Stephens? A. Yes, sir.

Q. Then Mr. Taylor replied to your telegram on August 1st from Seattle:—"Can leave Seattle August 6, via St. Paul." That was the telegram you received? A. Yes, sir.

Q. You wired him on the same date:—"All right, come. Find transportation St. Paul to North Bay addressed you care Union Depot, St. Paul." That was your telegram to him on the same date? A. Yes, sir.

Q. You requested transportation as per your telegram and Mr. Stephens on the 3rd August, sent you a letter. That is his signature? A. Yes, sir.

Q. That letter reads:—

"Dear Sir,—Referring to yours of August 1st in re passes for Thos. C. Taylor and J. M. Dixon, I have requested the general manager's office to send transportation to Mr. Taylor at St. Paul via Chicago and North Western to Chicago and the Grand Trunk to North Bay. I enclose you herewith transportation for Mr. Dixon and wife via the Grand Trunk from North Bay to Montreal and return.

"For your information please note that the C. P. R. are not issuing transportation to Grand Trunk Pacific employees at the present time, and you will kindly be governed accordingly."

He also enclosed you transportation to Montreal and return? A. Yes, on our own lines.

Q. And Mr. Taylor arrived here about the 6th August? A. It takes about five days to get here, he left on the 6th and would have arrived about the 11th or 12th.

Q. And you placed him in charge of party No. 1? A. Yes, sir.

Q. Was that party filled up at the time. Had it the usual staff, transitman, draughtsman, leveller, topographer? A. In the party at that time there was no leveller, topographer or draughtsman, because it was only reconnaissance work.

Q. You have returned Mr. Taylor as an American citizen? A. Yes, sir.

Q. You know him to be such? A. Yes, sir.

Q. I notice a letter sent on the 19th of March of this year, it is addressed to:

"Mr. W. J. Herbage, "North Bay, March 19, 1904.
"35 Third Street, Sub Station No. 1,
"Hoboken, N .J.,

"Dear Sir,—Your letter of March 15th to Mr. Geo. W. Stadly was handed to me. I expect to be in need of a locating engineer very soon. You must understand that the work on which you would be employed, in case of taking this position, is practically in a wilderness, being anywhere from 75 to 150 miles from a railroad or waggon road, all supplies, camp, etc., are conveyed in canoes, and one undertaking a position of this kind must be prepared to undergo very great hardships. In all my engineering experience I have never yet found anything to compare with this work in the way of physical privations and hardships.

"I am paying experienced locating engineers $175 per month and expenses. Time and expenses commencing leaving North Bay.

"I can furnish you transportation from any point on the Grand Trunk, either Buffalo or Niagara Falls.

"Yours truly,
"GEO. A. KNOWLTON, Div. Engineer."

Q. Then on the same day you wrote to Mr. Stephens in reference to this man, did you receive a letter from Mr. Stephens regarding him? A. Yes, sir.

Q. Is that here? Oh, yes, I see it informs you that he did not know him. Then on the 19th April you wrote Mr. Herbage as follows:—

"North Bay, April 19, 1904.

"Mr. W. J. Herbage,
"Assistant Engineer, N. Y. C. and H. R. R. R.,
"Clearfield, Penna.

"Dear Sir,—Replying to your letter of the 16th instant regarding your application for employment. I regret that I will be unable to do anything for you in this direction at present.

"As you are aware there is considerable adverse criticism at present both in the press and in the present sitting of the Government in regard to the employment of men from the other side of the line and you will readily understand the position I am in.

"I will, however, keep your application filed,

"Yours truly,
"GEO. A. KNOWLTON, Div. Engineer."

Q. "In regard to the employment of men from the other side of the line and you will readily understand the position I am in." So you gave that as a reason for declining Mr. Herbage's services, but the letter you had written to Mr. Herbage was of a pretty encouraging character, Mr. Knowlton, letting him know that you will furnish him with transportation from any point on the Grand Trunk, calculated to make him suppose that you were going to employ him? A. No, I don't think so, it is customary to let a man know what passes we may try and get for him.

Q. Now was it after receiving the letter from Mr. Stephens that he did not know him that the letter of the 19th April was written? A. Yes, sir.

Q. I notice that Mr. H. Carry applied for a position? A. Yes, sir.

Q. You wrote Mr. Carry:—

"North Bay, March 23rd, 1904.

"Mr. H. Carry,
"c/o Canadian Society of Civil Engineers,
"877 Dorchester Street, Montreal.

"Dear Sir,—Your letter of the 22nd instant making application for employment is received and contents noted. You have, however, failed to give any information on the most essential points required in a matter of this kind, that is full particulars of your experience in this particular line of work and the names of all the corporations you have worked for, in what capacity, length of service and to whom you can refer for references.

"I shall be glad to hear from you fully on all these points.

"Yours truly,
"GEO. A. KNOWLTON, Div. Engineer."

Q. Can you explain why you did not make the same conditions with Taylor and Herbage, was it because they came from the United States? (No answer.)

Q. Mr. Carry wrote you on the 22nd March as follows:

"Montreal, March 22, 1904.

"Geo. A. Knowlton, Esq.,
Division Engineer, G. T. R.,
"North Bay.

"Re Locating Engineer."

"Dear Sir,—Referring to your letter of 17th inst., to Prof. McLeod, which he has posted in this office, I would beg to say that I am open to an engagement and would be glad to have further particulars.

"I think I have the qualifications you require and the hardships of the backwoods roll off me like water off a duck's back,—I thrive on them.

"Yours very truly,

H. CARRY.

Q. That is written in a fairly buoyant tone, is it not? A. Yes, sir.

Q. And in answer to that you point out that he has failed to tell you what his experience is and on the 23rd March he writes:

"Montreal, March 23rd, 1904.

"Mr. Geo. A. Knowlton,
"Division Engineer, G. T. P. R.,
"North Bay, Ont.

"Dear Sir,—I beg to enclose herewith my prof'n record to date.

"Unfortunately the engineers under whom I have done my chief work are dead and letters I had from them are in B. C. and not get-at-able. I might refer you though, to Sir Thomas Shaughnessy or Mr. P. A. Peterson (late chief engineer C. P. R.), or D. Macpherson, division engineer C. P. R., Montreal, or Thos. Ridout, C. E., Ottawa.

"Yours truly,

"H. CARRY.

Q. As addenda he gives a list of his achievements from 1871 to 1903. I will not read over the whole of this record, but only the last paragraph:

"Also for season of 1901, in charge of two parties running preliminary lines through the Hope Mountains, for the British Columbia Government. Summer of 1903 making grade reduction surveys, North Bay, section Can. Pacific Railway."

Q. Now can you tell me why you did not employ Mr. Carry in view of this? A. Yes, sir.

Q. On account of what? A. He has got an unenviable record, impossible to keep men under him, I had learned that.

Q. By correspondence? A. No, sir.

Q. You did not know Mr. Carry? A. Yes, I met him.

Q. You had not met him before he wrote? A. Yes.

Q. Where? A. In my office in North Bay here.

Q. Before March 22nd? A. Yes, the 6th or 8th of February.

Q. Where was he then employed? A. He was then employed on the C. P. R.

Q. Where? A. Between Chalk River and here.

Q. Locating engineer? A. Revising line and straightening up.

Q. Did you then ask him for his record and testimonials? A. No, sir. He just called in my office and introduced himself.

Q. He was not looking for work then? A. He did not make any application.

Q. The first application he made was this letter from Montreal? A. After I had written to Professor McLeod.

Q. And then you wrote that letter to him pointing out that he had not given any testimonials. You wrote in good faith of course, you had no information of his professional record? A. No, sir.

Q. On the 23rd March you did not know that he had done some of the best engineering work in Canada? A. No, sir.

Q. That he had been one of the prominent members of the Canadian Society of Engineers since 1870? A. No.

Q. And on the 30th March I see a letter from Mr. F. S. Darling, division engineer on the C. P. R., Montreal, which reads:—

"Montreal, March 30th, 1904.

"Geo. A. Knowlton, Esq.,
"Division Engineer, G. T. R. System,
"North Bay, Ont.

"Dear Sir,—Replying to your letter of the 26th instant regarding application made by Mr. H. Carry for position of locating engineer.

"Mr. Carry worked for me as locating engineer on line changes for grade revision about two months and while with me did very good work and I was perfectly satisfied with him.

"Mr. Carry is temperate and a very hard worker. He is very strict with his men. The only fault Mr. Carry seems to have is that he is a great talker and wants everything exactly so, but I do not think that this would hurt him any as a locating engineer on any of your parties and I can recommend him as being a very good man.

"Yours truly,
"F. S. DARLING, Division Engineer."

Q. Now your explanation of that is that on account of hearing that he had difficulties with his parties you did not employ him? A. That is it exactly.

Q. Your idea with regard to these two or three gentlemen from the United States without knowing their ability you thought it safe to employ them? A. I had not that idea.

Q. You did not know them personally? In the case of Mr. Gailor? A. I have references in which he was highly spoken of.

Q. But it was mostly on account of the character of the country in Virginia that you employed him? A. I was satisfied that if he had done that work he could do any other.

Q. Although you did not know him personally and although you had no information as to his ability to get on that party it was safe to employ him, and in reply to this application and the recommendation of Mr. Darling you turned Mr. Carry down? A. I had further information in regard to Mr. Carry.

Q. What is it? A. Letters.

Q. From people in North Bay? A. Yes, sir.

Q. Who are they? A. There was Mr. Wattmer, division engineer of the C. P. R., he gave me his opinion.

Q. Only Mr. Wattmer? A. Yes.

Q. The only person to give contrary opinion to Mr. Carry? A. Yes, sir.

Q. You put Mr. Wattmer's opinion above that of the division engineer at Montreal who says he is a temperate and a very hard worker. This is very strange to me seeing he was recommended as a very good man? A. Is it not very strange also that they should let him go when they had work left, they let him go after having worked for two months.

Q. Do you know why they let him go? A. No.

Q. You did not know whether the work was completed or not? A. I know the party did not leave.

Q. Will you impugn the good faith of that testimonial from Mr. Darling? A. I know that a great many times people write these about engineers. I would not lay very much weight on such certificates as very frequently an opinion is given that one does not mean.

Q. Do you mean to say that you have frequently written such certificates without meaning what you said? A. Not exactly that, there are certain things that a man must do in business.

Q. In letters of recommendation to engineers rather than to other persons? A. Not rather than any one else, the engineer is not different from any other person and it is very hard to write a letter of recommendation and say he is not a competent man.

Q. You don't say that the engineering profession is less honest than others? A. No, sir.

Q. I notice that you wrote letters to American applicants, one to Mr. Ralph Rockwood, of Waterville, Me.:

"North Bay, March 29th, 1904.

"Mr. Ralph Rockwood,

"Waterville, Me.

"Dear Sir,—Your application of the 25th duly received and in answer will say that I have nothing at present to offer.

"They make serious objections to our employing Americans on this side of the line, and as the eastern part of the Grand Trunk Pacific is to a certain extent a Government undertaking we are compelled to comply with such requests as much as possible.

"Yours truly,

"GEO. A. KNOWLTON, Division Engineer."

Q. The same letter to Mr. C. O. Gordon, Carlisle, Ohio, saying the same thing that you are compelled to refrain from getting assistance from his side of the line but, however, you will place his application on file for further reference.

Q. Another letter to Mr. V. K. Nash, of Woonsocket, R. I., declining to employ him and saying: "They object very seriously to employing men from the United States, and in view of the fact that a greater portion of my work is on the Government section I have to be very careful in the matter." A. There is one thing I would like to state in regard to Mr. Carry, there is a great difference in his age as compared with Mr. Gailor.

Q. He is only 50, you are not going to draw the dead line at 50. I notice he was born in 1854, 49 years old. That cannot have been a reason for declining his services? A. Not particularly, but I would rather have younger men.

Q. I hope that is not cast up to you? A. I do not know that I would prefer the job myself and go into the Ontario woods.

Q. I notice that on the 30th March, 1904, you report that you contemplate turning off Mr. Ballock? A. Yes, sir.

Q. And you gave your reasons? A. Yes.

Q. But on the 14th April of this year you wrote to Mr. Stephens, saying: "I made a settlement with Mr. Ballock and beg to say that I have retained him on the work as I have since seeing him formed quite a contrary opinion to my previous one, and I find he is a satisfactory man for the work."

Q. Mr. Ballock subsequently left? A. Yes, sir.

Q. When? A. In May, I think it was.

Q. For cause? A. Well, partly that he got all that kind of work he wanted, and it was agreeable to him to retire. He was about ready to resign, I think, when he left his work and came out when he should not have, being a great expense. This was one of the causes for my dispensing with his services.

Q. I see in the same letter that you wrote about Mr. McLennan that you have disbanded his party and that you considered it useless to keep it as it was. You were having trouble from time to time with Mr. McLennan on account of his not keeping proper vouchers and making proper returns? A. Yes.

Q. You yourself have been out to this line? A. No.

Q. Then your work has been confined to office work here in North Bay and travelling on the railway in connection with that? A. Yes, I have been back and forward on the line of the C. P. R.

Q. Then your knowledge of this work north of here depends on the reports which are brought to you by your assistant engineers and staff? A. Yes.

By Mr. MOWAT: There are a large number of applications your Honour I desire to put in when the list now in hand is more compiete. There is a list of Canadian applicants whom I may desire to find out if they were employed.

By THE COMMISSIONER: When did you see Mr. Stephens, the assistant chief engineer last? A. On Friday night.

Q. Last Friday night? A. Yes.

Q. That would be the 24th? A. Yes, sir.

Q. He passed through from Winnipeg to Montreal? A. He came from the west.

Q. Did he refer to this investigation? A. Yes, sir.

Q. What reference did he make? A. He said that he would be back Monday.

Q. That is to-day? A. Yes.

Q. It is now 11.30 a. m., has he had time to be back? A. Yes, by leaving Montreal last night.

Q. How did you come to Montreal, Mr. Knowlton? A. The chief engineer of the New York Central wired me to report to Mr. Stephens in Montreal.

Q. Who is chief engineer of the New York Central? A. H. Fernstrum.

Q. Is your brother on that line? A. He is working there now.

Q. Because Mr. Stephens in his evidence before me in Montreal stated that he had asked your brother to take employment on the Grand Trunk Pacific and instead of his coming you were sent, is that correct? A. Well, I don't know anything about that. The first I knew about this was that I received a telegram from Mr. Fernstrum.

Q. That was the first you knew about it? A. That was the first thing.

Q. You were then in the employ of the New York Central? A. Yes, sir.

Q. As division engineer? A. As assistant engineer.

Q. On maintenance of way? A. On maintenance of way and construction.

Q. At what salary? A. $200 per month and expenses.

Q. When was that? A. I think I went to work for them in January, some time in 1903 about the 16th or 17th of January.

Q. And remained until? A. Until April I left Kerwinville on April 19th.

Q. And immediately reported to Mr. Stephens? A. Yes, sir.

Q. Did you inform him why you reported to him? A. I told him that I had a wire from Mr. Fernstrum.

Q. He knew Mr. Fernstrum? A. Not personally, I don't think.

Q. You told him who Fernstrum was? A. He knew who he was, of course.

Q. Did he refer to your brother as knowing him before? A. Who.

Q. Mr. Stephens. A. I don't think that he knew him personally before this time. I am not certain about that.

Q. Your brother's name was mentioned? A. I think it was.

Q. Where was Mr. Stephens when you first knew him in the States, on what line? A. That is personally, on the Santa Fé, I have known of him for a good many years.

Q. What was he there? A. Division engineer.

Q. You were on the Missouri, Kansas and Oklahoma at that time? A. Yes.

Q. And from there you went to the New York Central? A. Yes.

Q. Your family were living in California? A. Yes, sir.

Q. Since coming here you have had your family brought here? A. Yes.

Q. Did the Grand Trunk Pacific give you transportation for your family? A. Yes.

Q. You got your own transportation from the New York Central? A. I had transportation over the New York Central.

Q. I supposed so the Grand Trunk Pacific provided for you from Montreal to North Bay? A. Yes.

Q. What parties were there here when you first came? A. When I came first there were three parties, waiting here for the rivers to open to get to their work .

Q. Who were they? A. Parties 2, 3 and 4. Mr. Hannintgon was in charge of party No. 2, Mr. McLennan in charge of No. 3, and C. E. Hill in charge of No. 4. After coming here I procured Mr. McCarthy for party No. 5. I only had five parties at that time and Mr. Dixon was sent to me here for party No. 1.

Q. Of these five parties Mr. Hill was the only American? A. Mr. Dixon was also an American.

Q. J. M. Dixon? He and Hill were Americans? A. Yes.

Q. Both have gone out? A. Yes.

Q. Who took Mr. Hill's place? A. Mr. Boucher.

Q. Now with reference to party No. 1 Mr. Copeland was transitman then? A. Yes.

Q. He came from Montreal, or do you know? A. I think he did, I think I sent for him to Montreal. I think he made his application here in my division. He was on the C. P. R. last March at Sudbury. I think I sent to Montreal for him.

Q. Then he was relieved how long ago? A. It is only a short time ago.

Q. Last month or this month? A. I think it was last month, just the latter part of the month.

Q. What was the trouble with him? A. He had some private affairs to attend to and wished to be relieved.

Q. Mr. Graham was appointed in his place? A. Yes, sir.

Q. He was leveller and was promoted? A. Yes.

Q. And Mr. O'Kelly was appointed leveller? A. Yes.

Q. Mr. Lightfoot was appointed draughtsman? A. Yes, sir.

Q. When did he resign? A. The beginning of last month, 1st of May.

Q. Mr. Brobeck was appointed? A. Yes.

Q. Where was he? A. In Montreal.

Q. How did he come to be in Montreal? A. He was returning from a visit to the old country.

Q. Where was he before that? A. He was at Vancouver.

Q. In what employment? A. Independent work.

Q. How long had he been in Vancouver? A. I cannot say exactly, but I think quite a while.

Q. Is he a British subject? A. Yes, sir.

Q. He was over in Sweden? A. He was visiting Sweden.

Q. When you asked him to take charge? A. No, sir.

Q. Mr. Taylor is the only American citizen in party No. 1 to your knowledge? A. Yes.

Q. Mr. Jos. E. Tempest, where was he before he came here? A. On the Algoma Central.

Q. How long had he been there? A. I don't know, I think about two or three years.

Q. Where did he come from before that? A. I cannot say.

Q. Did you know anything about his experience before that? A. No, sir.

Q. And Mr. Graham he is transitman? A. Yes.

Q. Where was he employed? A. On the Algoma Central.

Q. Where did he come from? A. I don't know.

Q. How long on the Algoma Central? A. I cannot say now.

Q. Mr. Hogeland was leveller up to within a short time? A. He is leveller now.

Q. And who is Mr. Clark? A. Another young man who had opened an office here in town.

Q. Mr. Hogeland took his place? A. Yes.

Q. When was Mr. Hogeland employed? A. Last summer, he was working on the line of surveys that Mr. Canners is making from Nepigon to Lake Nepigon, working under his brother.

Q. Then there is Linklater, topographer? A. Yes.

Q. Where was he employed? A. I think he was on the Algoma Central.

Q. Did you employ him? A. He was a young man working in the party. Mr. Hannington had employed him before.

Q. Mr. R. W. Tempest, draughtsman, is a brother to Jos. E.? A. Yes.

Q. Mr. Hannington had charge when he was assistant engineer? A. Yes, sir.

Q. We find Mr. Usborne was in charge of party No. 3? A. He is now.

Q. Who had charge of that party when you first came? A. Mr. McLennan.

Q. And he was relieved quite recently? A. Somewhere about the 1st of March or April, I don't remember the exact date.

Q. What were Mr. Usborne's qualifications, do you remember? A. I don't remember now. When I was looking for a man to fill that position I sent to Montreal and asked them if they could send a man to take charge of No. 3 and they sent me up the list of applications to read over.

Q. How many had you on that list? A. I think there were about five or six.

Q. Mr. D. O. Lewis was on that list? A. I think so.

Q. Do you remember the others? A. No, I do not recollect them.

Q. Mr. Usborne had applied to Mr. Hays, as general manager, in December, 1903. This is his application, do you know his writing? A. Yes, that is his application.

Q. Now he says he has had some 22 years in the survey and construction and maintenance of railways and other work. Is a Canadian, has worked a good deal in the United States; for five years on maintenance on N. Y. C. & H. R. R. west division. Did you know him over there? A. No, I did not.

Q. He further says: "I went west and got on the Illinois Central as resident engineer in charge of construction. They next sent me to Tenn. to take charge of a location party and next sent me to Iowa to look after the substructure of five bridges across the Sioux River. I was next division engineer under Mr. Clark, chief engineer of the Oregon short line. I resigned that position to accept one on the Calumet belt line under Gus Lawrence, of Chicago. I left that to work for the Chicago & Hudson River Railway. I made surveys from Chicago to the Hudson River across the Mountains and wild lands of Pennsylvania, some 720 miles. I located and looked after construction on the Little Falls and Dolgville Railroad, N. Y. State, the contractors quit work and I had to settle accounts and carry the work on as day work for some months. I was superintendent of construction and engineer. I have done a lot of work at Niagara Falls for Mr. J. S. Hendrie. I had charge of the extension and double tracking and two docks of the elec-

tric railroad last winter. I had charge of party locating for the L. E. and D. R. R. from St .Thomas to Niagara Falls. I also located and made plans, estimates of twenty miles of the Montreal, Bancroft and Ottawa Railroad."

Q. Now that was his experience? A. Yes, sir.

Q. And he was appointed when? A. Just last month.

Q. Do you know the members of his party, Mr. Locke, his transitman, where was he employed? A. In Montreal, he lives at St. Lambert, he was employed by Mr. Stephens.

Q. Who was transitman before Mr. Locke? A. McGuire was his name.

Q. Where was he employed? A. I don't know.

Q. Was he a Canadian? A. Yes, sir.

Q. Mr. A. J. Darlington is still leveller? A. Yes.

Q. And you have the same draughtsman? A. Yes.

Q. Were they leveller and draughtsman respectively before Mr. Usborne's time? A. There were no leveller or draughtsman before Mr. Usborne, it was merely a preliminary party, reconnaissance.

Q. Party No. 4 was in charge of Hill, who succeeded him? A. Mr. Boucher.

Q. Was Mr. Boucher an American? A. No, a Canadian. He lived in Canada for about 20 years, I think he was English.

Q. What was he under Mr. Hill, anything? A. No.

Q. You employed him? A. Yes.

Q. Where? A. In North Bay.

Q. A good engineer? A. Very good.

Q. How did he come to go out? A. To leave the service?

Q. To leave the service? A. There was good cause for it.

Q. What was the cause? A. Excessive use of liquor.

Q. You reported him to Mr. Stephens on the 22nd December, 1903? A. I don't remember, it was somewhere about Christmas time.

Q. Giving "excessive use of liquor" as the cause? A. I don't remember how I may have started the letter but something of that kind.

Q. Unable to do business? A. I don't remember.

Q. Did you not state the fact? A. I stated the fact.

Q. (The Commissioner hands him letter book.) Well, that is the fact? A. Yes.

Q. He was on a drunk? A. Yes.

Q. Then you recommended the appointment of his transitman, who was he? A. Mr. Nelson.

Q. You say Mr. Nelson was an American citizen? A. Yes, I do not know that I was aware at the time because he had been working for the Algoma Central before.

Q. You wrote to Mr. Stephens on the 28th December, 1903:—

"Dear Sir,—If satisfactory to you I will promote Mr. J. D. Nelson on the first of the year to position of assistant engineer party No. 4. From what I learn of him he is thoroughly competent man, and from what I personally know of his work since he commenced as transitman for Mr. Boucher, I consider he is undoubtedly a "Rustler" and I think he is the very class of man we are in need of.

"Yours respectfully,
"GEO. A. KNOWLTON, Division Engineer."

Q. That was your recommendation of Mr. Nelson? A. Yes, sir.

Q. You said he was "out" now, what was the reason? A. Same cause as Boucher.

Q. Excessive use of liquor? A. Yes, sir.

Q. Who has charge of that party now? A. Mr. Coldwell.

Q. Where did you employ him? A. He was sent to me from Montreal.

Q. By Mr. Stephens? A. Yes, by Mr. Stephens.
Q. When? A. About the 1st of the month.
Q. Is he a Canadian? A. He says he is a British subject.
Q. Do you know where his experience was gained? A. Yes.
Q. Where? A. On the C. P. R. towards Lake Superior. He was one of their locating engineers. He commenced as rodman and worked up.
Q. Mr. Morris is transitman on that party, who employed him? A. He came out with Mr. Hill, no, I employed him in Montreal.
Q. You employed him in Montreal? A. He is a very good young man.
Q. When you were down there? A. When I first came to Montreal.
Q. Where did he come from? A. I don't know. He lived in Montreal. His family live there, his mother and sister live there.
Q. And Mr. Housson is leveller. He is still leveller? A. He resigned on account of sickness.
Q. Who took his place? A. I am sending in a young man from here named Davidson, a Canadian.
Q. Then Mr. Glover, his topographer, where was he employed? A. From North Bay, he made application personally.
Q. Where did he come from? A. I don't know, I think down about Toronto somewhere.
Q. Is he a Canadian? A. I think so according to his statement.
Q. Then party No. 5, Mr. Balloch is assistant engineer of that party? A. He was, but Mr. Gzowski is in charge now.
Q. When did he go out? A. Went out in March or April somewhere along there.
Q. Why did he (Balloch) go out? A. Well, he was not a man of sufficient resolve to handle a party of men located in that country.
Q. Had not sufficient knowledge? A. And I think lacked in judgment, he brought his party out 150 miles when he could have gained 40 miles by another way for supplies. He knew about it and lost about two months work which he should not have lost.
Q. Where is he from? A. From Woodstock, N. B.
Q. Now Mr. Barnhill was transitman? A. Yes.
Q. Is still there? A. Yes.
Q. Where from? A. From New Brunswick.
Q. No fault to find with him? A. No, sir.
Q. You have only a transitman in that party? A. It is a reconnaissance party.
Q. John S. Tempest is in charge of No. 6, he is a resident of Canada, formerly lived at Owen Sound. Is he a brother of the other Tempest? A. Yes.
Q. How long was he in the United States before you employed him? A. A very short time, he was on the Algoma Central. Mr. Hannington can tell you about him. He was with the electric railway company, Los Angeles, when he applied to Mr. Hannington. Mr. Hannington gave his opinion.
Q. He recommended him? A. Yes.
Q. Mr. Landry, transitman, did you employ him? A. He was employed by Mr. Kyle or Mr. Stephens.
Q. Do you know where he came from? A. He is a Canadian, from New Brunswick.
Q. Then Mr. C. M. McKenize, his topographer, you have no leveller or draughtsman on that party yet? A. No.
Q. Mr. A. R. Taylor was topographer before Mr. Mackenzie? A. He is not on the work now.
Q. Who? A. Mr. Taylor.
Q. No, he was discharged and Mr. McKenzie has been appointed in his place? A. Yes.

Q. When was Mr. McKenzie employed? A. I don't know.

Q. Who employed him? A. I don't know.

Q. Is he a British subject or a Canadian? A. I cannot say, I think he is though.

Q. You seem to have some doubts? A. I am just like this, I cannot say for certain, I was told that all these parties were Canadians.

Q. Who told you that? A. Information from the engineers.

Q. Did they make returns to you? A. No those returns that were made to Mr. Kyle.

Q. You don't know where Mr. McKenzie— A. Unless Mr. Hannington can tell.

Mr. HANNINGTON, interrupting: He is a Canadian.

To Mr. KNOWLTON: Mr. Pim had charge of party No. 7? A. Yes, sir.

Q. Was he the first assistant engineer in charge? A. No.

Q. Who was? A. Mayer.

Q. Then Mr. Pim was appointed in his place? A. Yes.

Q. When did he leave the service? A. Mr. Pim left the service the first of this month.

Q. He was through I understand? A. Yes.

Q. A British subject? A. Yes.

Q. Did you discharge him? A. I did.

Q. For what reason? A. Well, various reasons.

Q. Mr. Pim has written me a letter. I think it only proper to show it to you so that you may explain publicly for Mr. Pim's satisfaction. (Mr. Knowlton reads Mr. Pim's letter). I thought it was only fair to Mr. Pim and yourself that you should see that letter? A. I have nothing to say against the man personally, his work was anything but correct and the way the accounts, bills and time rolls have been mixed up ever since I have taken up the work of the party has been embarassing and the way that he has sent in the men's time and his reports has not been satisfactory at all.

Q. Then the trouble is simply as to his accounts? A. No, as to his engineering. I gave him instructions to run a line across country there and in case he should find anything impossible to get over, a lake or a hill, his instruction was to run around the obstruction, but he ran his line straight through and we are no wiser as to the country he traversed.

Q. Has he made a report as to what he did? A. Yes.

Q. And it is set forth in that report? A. Well he stated he ran a line but does not give any idea whether there is any possibility of getting around a certain place, and work of that kind is utterly thrown away.

Q. That is what you say was the cause of his being dismissed? A. Incompetent work both in his accounts and in his methods of surveying.

Q. He was employed by Mr. Stephens? A. Mr. Kyle, I believe, I knew him several years ago in the States.

Q. Was he employed in the States when he came? A. He told me that he came to Winnipeg to go out on the Peace River to go ranching, met Mr. Kyle there who offered him this position and he accepted.

Q. He applied for the position in January, 1903, but was not appointed at that time. I think he was in the States at that time? A. Yes, he was in Wyoming.

Q. At any rate he is out now and you employed Mr. Gailor in his place? Where was Mr. Gailor at the time he was employed? A. I think in New York or Pennsylvania.

Q. He was the gentleman who applied through the engineer employment agency, in answer to the advertisement which Mr. Stadly had inserted in that paper? A. I do not think there was any paper or advertisement attached to the agency.

Q. What was the nature of the agency? A. There are several of these agencies throughout the country, a man just puts his application there and they correspond with him if anything turns up.

Q. How did Mr. Stadly come to try the agency? A. I don't know, only that he has an application there himself I believe.

Q. In consequence of Mr. Stadly's action you received a number of letters? A. He received letters.

Q. And handed them to you? A. Yes.

Q. What steps did you take? A. I took no steps.

Q. In consequence of their being American citizens? A. Yes.

Q. What about Mr. Gailor? A. He wrote me his home was in St. Catharines.

Q. When did he actually write you that? Now look over his first letter and see, he does not say that he is not an American citizen? A. I think so, I am not sure.

Q. Read that letter and see exactly what he does say: "Although I have been in this part of the country for some time I call my residence at St. Catharines, so do not consider I am a native of the United States.
A. He does not say he was an American citizen.

Q. He does not say he is a British or Canadian subject? A. He has not been frank.

Q. That is you told him you could not communicate with any one who was an American citizen? A. Something like that.

Q. As a matter of fact he was then and is now an American citizen? A. I don't know. All I can say is that if I had known I would not have given him a position here.

Q. How soon would it take to get him in here? A. About three weeks.

Q. Mr. Hannington has just sent him out? A. Mr. Hannington has just sent him and he has just taken charge of the work.

Q. Now you received some applications from Mr. J. Hilton Haycock? A. Yes.

Q. Why did you not employ him, a Canadian? A. It was in consequence of his habits.

Q. In consequence of his intemperate habits that you did not employ him. And that was the sole reason? A. Yes.

Q. Now you wrote to Professor McLeod: "Do you know of any good locating engineers that you could recommend?" That was on the 17th of March, 1904. Had you no list of Canadian engineers in your office at that time? A. No.

Q. No list of applications? A. No, there may have been a few.

Q. How many? A. I don't know how many.

Q. Do you remember Mr. Pierce's application? A. I don't remember.

Q. Mr. Carry's? A. Not before that time. Mr. Carry's application only came after I had written to Mr. McLeod.

Q. You had Mr. Clifford's application. What about that, he had applied in February, 1904, nearly six weeks before? A. I don't remember now.

Q. Mr. Russell, of North Bay, recommended him? A. I now remember that I spoke to Mr. Clifford after that and he thought it desirable to stay with the Temiscamingue Railway, because I was talking to him afterwards.

Q. Regarding his plans? A. I saw Mr. Clifford after that at the station.

Q. In how short a time? A. Not long after he told me there would be an extension of the Temiscamingue Railway.

Q. Did you write down to Montreal for a list of their applications? A. I sent down.

Q. And did you get any? A. Yes.

Q. When? A. This spring some time.

Q. Only this spring, not before March? A. No, what the date of the letter was I don't remember now.

Q. What list did you get from Montreal? A. I think they sent up five or six names.

Q. Only five or six names? A. I don't think of any more. They have a list of 100 names of parties applying for positions, engineers and others and they have not sent you that list? A. No.

Q. Did you write to Mr. Stephens about that list? A. No, I asked him to send me two names and they sent me up a list of these men.

Q. Look at that list I copied from the applications in Montreal and see if any of these names were sent for the purpose. A. I will have to look up in the office here, I don't remember, but they are all away now.

Q. How did you come to write to Professor McLeod? A. Because of his being secretary of the Canadian Association of Engineers, I thought probably he would have more information there.

Mr. Mowat: Here's the list.

The Commissioner: Mr. J. H. Kennedy. What about Mr. Kennedy, why did you not employ him? A. Well, he is pretty well on in years and I knew an engineer who was engaged to work with him that year, a good and reliable man, and he stated, and I wrote him regarding it.

Q. Who is that man? A. Mr. Lindsay.

Q. Where is he? A. At St. Catharines.

Q. A. J. Lindsay, what did he say? A. He said he was a very honest man but he had not the amount of pluck and energy that would be required in the country I was engaged in.

Q. Mr. Kennedy has since been appointed chief engineer of the Vancouver Navigation Company of Vancouver, B. C. Would not Mr. Kennedy have made a good division engineer? A. I would not care to say.

Q. You don't know anything about his experience, personally you know nothing about him? A. No.

Q. How long had he been under Mr. Lindsay? A. I don't know, but he speaks most highly of Mr. Kennedy, he says he is a man temperate in all things. Mr. Kennedy is past 50 years.

Q. Is that your limit? A. Not particularly, some men are as young at 50 as others are at 40.

Q. After that you sent down to Mr. Stephens? A. I think so.

Q. What information you got? A. Yes.

Q. You did not know how long he was under Mr. Lindsay? A. I cannot say.

Q. How long was he with Mr. Lindsay, do you know that? A. Five or six years.

Q. You had Mr. Kennedy's application before you then at that time? A. Yes, sir.

Q. And also Mr. Lewis'? A. Yes, sir.

Q. Why did you not accept Mr. Lewis? A. I only had two positions to fill and took Mr. Roberts and Mr. Usborne and I could not give Mr. Lewis a position for I did not have anything for him. Mr. Roberts refused to come and I filled his position with Mr. Gzowski.

Q. You have not employed Mr. Lewis to the present time? A. No.

Q. But you have employed Mr. Gailor since Mr. Lewis, of Toronto, applied? (No answer.)

Q. Mr. W. Usborne, was he appointed before Mr. Gailor? A. About the same time.

Q. Mr. Baza applied for a position, too? A. Yes, sir.

Q. What position did he seek? A. In charge of a party, I told him the conditions of work and he said it would be impossible for him to take it.

Q. Mr. James A. Paterson, a Canadian, who was down in Virginia, also applied? A. I suppose there is a letter on file, I don't remember any of these applications.

Q. Now, Mr. Paterson applied for a position, you were written to by Mr. Stephens as to Mr. Paterson's qualifications, why were you written to, do you know? A. Perhaps because I might have information to give.

Q. Because you came from West Virginia? A. I made one trip there.

Q. He asked you to see Mr. Russell to ascertain whether he knew Mr. Paterson and also what he knew about him. Mr. Paterson writes that he wants to come back to Canada. He has been away from his native country long enough, and you write to Mr. Stephens on the 22nd July, 1903:

"Dear Sir,—Yours of 21st instant regarding J. A. Paterson is received.

"As requested I have seen Mr. Russell and he informs me that he is not personally acquainted with Mr. Paterson, but knows of him and what he does know is satisfactory. He was on the surveys some several years ago, and wrote an article regarding the country and surveys, which Mr. Russell informs me is very intelligently written, and he thinks you would be perfectly safe in giving him a position as locating engineer.

"Yours respectfully,

"GEO. A. KNOWLTON, Division Engineer."

Q. That is what you wrote Mr. Stephens? A. Yes.

Q. That is the information you got for him? A. Yes.

Q. Now, Mr. Paterson was never offered a position, do you know why? A. I don't know any particular reason.

Q. Why did you not offer him one when you were seeking engineers instead of going over to the States for Mr. Gailor? A. I don't know.

Q. You did not take a memo. of this application in your office? A. I thought that I had it, I do not know whether it was overlooked or not, probably that is the only reason. It was not intentional, there are so many applications. Month after month men of no qualifications make applications.

Q. This was not the trouble with Mr. Russell's recommendation? A He did not go so far as to say that he worked on the C. P. R.

Q. Mr. Russell said that he had written an article about the country and surveys which was very intelligently written and he thought Mr. Stephens would be perfectly safe in giving him a position as locating engineer. Well nothing was done to get Mr. Paterson into this country as desired. You did not, why? A. No, I did not. I always fight shy of men who write newspaper articles.

Q. He did not write in a newspaper? A. He wrote something that was published.

Q. When articles are well written people like to read them.

Q. I saw in going through this letter book, Mr. Knowlton, that some of the leaves are torn out and cut out, why so? A. There were some private letters in regard to some of my own business that should not have been kept in them.

Q. Who took them out? A. I took them out, they were in regard to some real estate, with reference to business in Toronto.

Q. You are sure they were not in reference to any applications? A. I do not think there are any of these taken out.

Q. Page 742 is missing, that was cut out? A. Yes.

Q. Page 744, these are personal matters of yours? A. Yes.

Q. And you marked personal on them? A. Yes, they should not have been copied there.

Q. There are some pages that are not so neatly taken out? Had not the same appliance for cutting them out, did not have a knife, see these: 548, 549, 550? A. Well, these are reports, they go in another book with the records.

Q. Have you got these reports? A. Yes.

Q. Pages 768 and 769 are also cut out, they are not marked. Here are some others marked private letters, they are neatly taken out. Page 776 is also gone in the same way also marked private letter; 785 also marked private letter, 952 seems to have been torn out, but that is about the last page.

Q. There was a Mr. Frank who applied several times for a position. Did he ever get one, he was a Canadian? A. I remember that name as a leveller.

Q. No, he was of Oklahoma. You wrote him on July 14th, 1903:

"North Bay, July 14th, 1903.

"Mr. G. H. Frank,
"302 City Building,
"Oklahoma City, O. T.

"Dear Sir,—I have your letter of the 7th instant, making application for position as draughtsman, and in reply will say that at present I have nothing in this direction to offer you. I may also say that our people are, at the present time, very averse to employing men from the United States, which would preclude my offering you anything. However, I will place your application on file for future reference and, perhaps, may be able to offer you something later on.

"Yours truly,
"GEO. A. KNOWLTON, Division Engineer."

Q. You remember that, so that it was not as late as March, 1904, when you began to write to applicants in the United States that people were adverse to employing them? A. Now, I will tell you how I wrote that letter in that tone. There were a great many people there, engineers and others, just finishing up that road and if I sent a letter like that down there it would probably prevent 50 or 100 applications from coming and it was better to give him to understand there were objections. I do not know that I had any instructions at that time.

Q. Do you remember Mr. Horsey? A. I remember the whole affair.

Q. He applied four different times? A. Yes, and I offered him a position and he was not able to fill it at the time. Another time he applied and we did not have anything.

Q. Well, about that time, in July, 1903, you had written to Mr. Stephens' office for draughtsmen, do you remember. Why did you not care to appoint Mr. Horsey at that time? A. I don't think he made application for draughtsman, I think it was for leveller.

Q. You wrote to Mr. Horsey on August 7th:

"North Bay, August 7, 1903.

"Mr. Burton T. Horsey,
"c/o Capt. Bogart,
"Marmora, Ont.

"Dear Sir,—I have your letter of the 28th ultimo, in regard to position with this company, and in reply will state that I have no position to offer you as transitman, but could possibly offer you a position as leveller within the next month some time, but cannot say as yet just when. I will, however, let you know if I can make use of your services when the opportunity occurs.

"Yours truly,
"GEO. A. KNOWLTON, Division Engineer."

Q. Do you remember offering him anything further than that? A. I offered him a position as leveller, but he was connected with the C. P. R., and was out on the surveys and I could not get him at the time I wanted him and sent another man in his place.

Q. Can you give me the letter that you wrote offering that position? A. I think I wired him.

Q. In October he wrote you again asking for a position and you answered:

"North Bay, October 17, 1903.

"Mr. Burton T. Horsey,
"c/o C. P. R. Survey Party,
"Sudbury, Ont.

"Dear Sir,—I have your letter of the 13th instant, in regard to employment, and in reply will say that I have now got my parties pretty well filled up for the winter, but should you be in North Bay you might call and see me and I might possibly be in a position to offer you something.

"Yours truly,
"GEO. A. KNOWLTON, Division Engineer."

Q. Now I find that page 707 in the letter book is cut out, can you tell me how this is? A. I don't know, unless it is a weekly report.

Q. On November 8th, he again writes to you and you answer:

"North Bay, November 9, 1904.

"Mr. Burton T. Horsey,
"c/o Mr. Keemle,
"C. P. R. Survey,
"Sudbury, Ont.

"Dear Sir,—Your letter of the 8th to hand. I have nothing now that I can offer you in the way of employment, and may say that I have practically filled up all my parties for the winter and do not expect any further vacancies, except in case of some one leaving or taking sick.

"Yours truly,
"GEO. A. KNOWLTON, Division Engineer."

Q. So you have not been able to give Mr. Horsey anything?

By Mr. Mowat: Q. Do you remember getting a letter from Mr. E. L. Sparks? A. Yes.

Q. You knew him for some years? A. Yes.

Q. You wrote him on the 8th July of last year as follows:

"Mr. E. L. Sparks,
"Oklahoma City.

"Dear Sir,—Your letter of June 29th received, and in answer would say that at present I have nothing to offer you. Our company objects somewhat to hiring men from the United States, at present, as they are still having some trouble about procuring their charter. However, nothing would please me better than to give you a position such as you ask. I remember you very well, and as I told you last summer I tried my best to advance your position, but our mutual friend "Mr. Reagan" would not consent to a change.

"The country through which I am running lines is practically unexplored, and one of the toughest propositions I think an engineer can get up against on this continent.

"It may be possible that I can offer you something later on. Keep me advised of your address so that I will know where to reach you.

"Yours truly,
"GEO. A. KNOWLTON, Division Engineer."

Q. How did you come to that conclusion, Mr. Knowlton, was it in conversation with Mr. Stephens? A. No, sir, it was done on my own authority.

Q. On your own authority? A. Yes, sir.

Q. Would that refer to the trouble they would have in passing the bill in April? A. Yes.

Q. Was it on account of any understanding with your superiors in Montreal? A. No, sir, none whatever.

Q. Had you an idea when you wrote that that when the trouble of obtaining the charter was over you might then consider applications from the United States? A. In April?

Q. That is what it says. Your idea was that you could give Mr. Sparks a place after that trouble was over? A. Yes, sir. I would say that I would very much like to give him a job. He was an excellent man for any position I might offer him later on.

Q. That was your own idea and not the policy of the company? A. Not their policy that I know of.

Adjourned to 2 p. m. same place of meeting.

The Commission resumes at 2 p. m. at Court House.

Mr. KNOWLTON recalled:

By THE COMMISSIONER: Q. Do you know Mr. Johnston, transitman, party No. 7? A. I don't know him.

Q. Do you know when he was employed? A. Last spring, I understand he is a graduate of one of the schools here in Canada.

Q. Do you know Mr. Leitch, levelman? A. No.

Q. Mr. Forsberg, draughtsman? A. No.

Q. Know where he came from? A. No, I don't.

Q. Alexander Gibson, topographer? A. No, sir.

Q. Was there when Mr. Pim was employed there? A. Yes.

Q. Did you graduate from any college or university as an engineer, Mr. Knowlton? A. No.

Q. Where were you trained as an engineer? A. Well, principally in the western part of the United States, I did some work also in the east.

Q. You were trained in the field altogether? A. I took a course of mathematics at Cedarville Seminary, Iowa.

Q. How long were you at that course? A. Graduated in 1876.

Q. How long were you at it? A. Three years.

Q. Was that an engineering school? A. Not particularly, they did go as high as surveying.

Q. Then after graduating in 1876 what works were you employed in? A. Well, I was employed at engineering in the City of Dubuque, Iowa, in the city engineer's office.

Q. What position there? A. I was rodman part of the time, part of the time leveller with transit.

Q. For how long? A. For three seasons.

Q. Part of a year for three years? A. Yes.

Q. That brings us to 1879 or 1880? A. Yes, sir. There was part of that time in 1876 that I worked in topography only I cannot tell from memory.

Q. You did not look at that memorandum? A. No, it is in my office. I commenced in 1871 when I worked as axeman, the first year on construction, the next year as rodman, during the summer season I was going to school; the next two years as rodman, 1872 and 1873; 1874-5-6 I worked in the city engineer's office at Dubuque; then there was about a year and a half I was working in mercantile business.

Q. That would bring you to about 1877 or 1878? A. Then I had a fit of sickness and was laid up for about 10 months. The next position I had was resident engineer and walking boss on the Dubuque and Dakota Railway.

Q. On construction? A. On construction, and leaving there I was a few months down on the Illinois Central, that fall I came back to the Dubuque and Dakota and was there until the next spring.

Q. That was in 1879? A. Yes, sir, in 1879. The summer of 1879 I was with the Chicago, Milwaukee and St. Paul and in the fall of 1879 came to St. Paul and went out as transitman on the St. Paul, Minneapolis Railway, where I remained all winter and the next summer until about September, 1881. In 1881 I went west and took a position as assistant engineer on the main line of the Northern Pacific.

Q. In charge of a locating party? A. In charge of a construction party. I was there about a year when I quit engineering, had a contract for about one season and for two seasons I was in mercantile business.

Q. That would be 1884? A. And from 1884 went back to work for the Northern Pacific on the Cascade division.

Q. As? A. I started in as topographer and draughtsman and had charge of locating party when the work shut down and in 1885 I returned to Iowa and was employed for the Chicago and Western for a little over a year in charge of location division of construction. I had several construction parties under me. I left there to take charge of the Rocky Point and Crook City Branch of the Northern Pacific, the line being built through the gold mines up there. I stayed with them until that work closed down, a little over a year. I then went on to the Oregon Railway and Navigation Company, which was a portion of the Union Pacific and was with the Union Pacific for about three years and when not locating engineer was engineer in charge of a party on construction. Then the next year I worked, hardly a year, for the Denver and Rio Grande Railway.

Q. What year would that be? A. About 1891 or 1892, I think it was the winter of 1891-92 and all the next summer. In the spring of 1892 I went to work with the Sault Ste. Marie, St. Paul and Minneapolis and was with them until July, 1893.

Q. As what? A. I was draughtsman and topographer then from July until October I was on the Chicago and Eastern Illinois as locating engineer and from October until the next August I was with the Duluth and Iron Mountain range in charge of location. That was in 1893, that winter I was not engaged in engineering and in January of 1894 I went to California and worked independent work there. I was surveying lands, staking out of fruit trees and work of that kind for the summer, and then I went into mercantile business until 1896. In 1896 I was on the San Joaquin Valley Railway, that was the summer of 1896, I was on construction there and principally had charge of buildings, new works: then I was from that up to 1899 in mercantile business and in 1899 I think I came up to the Great Northern in charge of location. I was there a little over a year and immediately on finishing that line I was engaged by the Northern Pacific and worked for them that summer, up, I think, to October. In October I was sent by some parties to make a reconnaissance and report on the cost of construction and the products of the country through Eastern Kentucky coal fields and cost of working and developing same and was there until the next September. I then went back to the Great Northern and was with them from September until the next April or May. From there I went to the Missouri, Kansas and Oklahoma that spring and was there until October when I was compelled to leave on account of malarial fever, and then after I had recovered from that I came east and took a position on the New York Central where I remained about four months.

Q. Then you came to Canada? A. Yes.

Q. You had a great deal of experience. How is it you did not remain any longer with any of these different roads? A. The only way I can account for it is that the principal part of my engineering has been on location and I have had a good reputation as being a good man on location and often when location was finished another engineer who had done construction was named and I have been shifted around.

Q. The highest position you have held was engineer in charge? A. I was chief engineer on the Rocky Port Crook City branch.

Q. How long? A. About a year.

Q. What mileage? A. About 46 miles of work on main line of the Northern Pacific up to the gold mines.

Q. What was the nature of the work? A. Not heavy.

Q. Was it location? A. Yes, I located the line and constructed it nearly all, until they ran out of money.

Q. You never had any experience in Canada? A. Well, I worked for the Northern Pacific on reconnaissance from Morris, Man., across to the Lake of the Woods, very similar to this country, and I was with the Duluth and Iron Range, that country is identical with this.

Q. I understood you to say you had not been on the actual survey in the division over which you are placed here? A. I have not been on the line of survey. I have not had time to go any distance from the railway, and it has therefore been impossible for me to go in there. Now that I have things in shape I will do so. I have been out on the first division on the line as far as the first party goes.

Q. I notice there is a difference in the amounts paid to the engineers, a great number of them receive $150 per month, Mr. Taylor receives $175, Mr. Jos. E. Tempest, $150, Mr. Usborne, $175, Mr. Nelson was receiving $150, who is his successor? A. Mr. Coldwell.

Q. How much does he receive? A. $175.

Q. Mr. Balloch received $150, his successor, Mr. Gailer, gets $175, John S. Tempest $150, that is correct, is it? A. Yes.

Q. And Mr. Gailor $175 how do you make that out? A. All these men who have $150 are men who have been promoted from transitmen, or it is their first party. The general custom is that a man on his first party does not get as much as a man of experience, although if they show themselves competent to do the same kind of work as the older class of men they will get the same pay.

Q. Mr. Tempest, that was not his first party? A. First party on location.

Q. In Canada? A. Or anywhere for that matter. He was on electric lines of which he speaks, which is altogether different work.

Q. Are you not mistaken with reference to him? A. I think not, Mr. Hannington knows of his engineering work for some time and I think he will bear me out in my statement.

Q. Mr. Tempest writes on the 31st July, 1903:

"Pacific Electric Railway Company,
"Los Angeles, California, July 31st, 1903.

"To Chief Engineer, Grand Trunk Railway,
"Montreal, Canada.

"Dear Sir,—If you have a vacancy I should like to have charge of one of your survey parties in the field.

"I am well acquainted with the country north and east of Lake Superior having spent about three years as assistant engineer on exploration and location for the Algoma Central Railway in the neighbourhood of the Agawa, Batchewana, Montreal, Magpie and Doré Rivers.

"I am now in charge of a piece of location between Los Angeles and the Pacific Coast and have nearly finished the whole course (about fifty-four miles) for the Pacific Electric Railway.

"I beg to refer you to J. J. Kennedy, Esq., general superintendent of the Algoma Central Railway, Sault Ste. Marie, Ontario, and to G. E. Pillsbury, Esq., chief engineer, Pacific Electric Railway, Los Angeles, Cal.

"Yours truly,
"J. S. TEMPEST."

Q. You see he had charge of a location party previous to his present one? A. I made him an offer and he accepted it, but my intention is that when Mr. Tempest has proven himself a good man I shall raise his wages.

Q. There is some advantage arising out of the Commission, they did that also up west? A. I would make no mistake.

Q. Well, in Mr. Mann's case they had discharged him because he was incompetent in the division in which Mr. Van Arsdol was chief but they re-employed him when he came back to Winnipeg at $175 per month, he only having received $150 previously. So you see some persons are deriving some benefit from the Commission. A. I understand that some objection was raised that we were paying men more than before.

Q. That may be one objection, but that would not affect the amounts that are paid the same parties in the same division? A. I shall put him on the pay-roll for next month for $175.

Q. He will be pleased to hear that? A. I don't doubt that he will.

Q. Where are you actually residing? A. North Bay.

Q. In this town? A. Yes.

Q. Family with you? A. Yes.

Q. Keep house? A. Yes.

Q. Whose house is that where you are living in? A. Mine.

Q. One you purchased? A. One I built.

Q. Land owned by you? A. Yes.

Q. So that you are an actual resident of the Town of North Bay? A. Yes, sir.

Q. I understand that apart from Mr. Gailor who was employed, that Mr. Taylor is the only American citizen in your division? A. No, there is one more, Mr. Stadly, he has been in Canada for a long time.

Q. Mr. Gailor is the only one you have doubts about? A. Yes.

By Mr. Browning: I am just in doubt whether he is an American citizen or not.

The Commissioner: There is no doubt about it.

Mr. Browning to Mr. Knowlton: Q. Under what circumstances was Mr. Taylor engaged, Mr. Knowlton? A. It was simply because I knew him to be a good man to fill the place, one I could rely on. Known him personally a number of years.

Q. Did you make any effort to get any one else before? A. Yes.

Q. Who? A. James McDonald.

Q. Who is James McDonald? A. An engineeer employed on the C. P. R. at Rat Portage.

Q. A Canadian? A. A British subject.

Q. Who had been employed on the C. P. R. at Rat Portage? A. Yes.

Q. How far did your negotiations go? A. I offered him a position and he did not come.

Q. He wrote to accept your offer of engagement? A. He accepted in the first place and did not turn up later and as I was without an engineer to fill the position I sent for Mr. Taylor.

Q. Was it necessary to get one at that time? A. Surely it was for the benefit of the company's work.

Q. They needed a man and you sent for Mr. Taylor? A. Yes, sir.

Q. How did Mr. Stadly come to be employed? A. He was working at the Sault and was highly recommended to me as an exceptionally good office man.

Q. By whom recommended? A. By Mr. C. Kyle, master mechanic of the C. P. R., North Bay.

Q. He recommended Mr. Stadly? A. Yes.

Q. I suppose you made no enquiry as to Mr. Stadly's citizenship? A.

No, I made no enquiry, I knew he was living there and was recommended by Mr. Kyle.

Q. How long has Mr. Stadly been here? A. He came in January or February of this year.

Q. Did I understand you to say, Mr. Knowlton, that Mr. Carry's application was the only one received in response to your letter to Professor McLeod? A. Yes, the only application received.

Q. And did you employ Mr. Carry? A. No.

Q. Was your rejection of his application in the interests of the Company? A. Yes, sir. I wish to state this that I did not question Mr. Carry's engineering ability in the least but for the class of work we had, with the reputation he bore in regard to not being able to keep men, it was impossible to keep a party in that section of the country.

Q. You rejected him because you thought he was not able to handle men and keep them together? A. Yes, sir, that is what I understood.

Q. There was no personal objection to Mr. Carry? A. No, sir, none whatever.

Q. You have frequently notified applicants from the United States that under existing circumstances their applications could not be considered? A. Yes, sir.

Q. Did I understand that as far back as July, 1903, you did it? A. That is the date of the letter produced.

Q. At no time during your connection with the company in Canada has a citizen of the United States ever been engaged in preference to Canadians? A. Not to my knowledge.

Q. By you? A. Not by me.

Q. Whether skilled or unskilled? A. Not to my knowledge with the exception of Mr. Taylor when McDonald would not come.. I endeavored to get Mr. McDonald who after accepting the position saw fit probably to suit himself better and accept a position on the C.P.R. and be transferred to the mountains on the western division and after that I sent for Mr. Taylor.

Q. But what Canadian did you prefer Mr. Taylor over, I asked if at any time you preferred an American to a Canadian and you said except Mr. Taylor? A. I do not know if there is any, I may have had applications at that time but it was just simply that Mr. Taylor was just the kind of man I wanted. I knew he was competent to take the position, a competent engineer and I sent for him.

Q. At the time you engaged Mr. Taylor had you any application actually before you? A. No not one.

Q. So that you did not prefer Mr. Taylor to a Canadian? A. No, sir, if I could have got a man to suit me near here about the time of making up the survey.

Q. McDonald would not come and you turned to Taylor? A. Yes, sir.

Q. At any time since you have been in charge of this Canadian work has a Canadian ever been displaced, has an American ever taken the place of a Canadian, a citizen of the United States taken the place of a Canadian? A. In one case.

Q. What case was that? A. Mr. Nelson.

Q. Took whose place? A. Mr. Boucher's.

Q. And Mr. Nelson was subsequently discharged? A. Yes.

Q. And who took his place? A. Mr. Coldwell.

Q. Mr. Nelson was a citizen of the United States and Mr. Coldwell was? A. Citizen of Canada, a British subject. I might say that the case of his being promoted to that position was another. I promoted him in charge of a party the same as I did Mr. Brobeck.

Q. You did not bring in Mr. Nelson from the United States? A. No, sir, I hired him here, he had been employed here in Canada.

Q. You promoted him to the chief position in a party? A. Yes.

Q. When he proved unfaithful you dismissed him and he was succeeded by a Canadian? A. Yes.

Q. So that the Nelson case is the only one where a Canadian has been succeeded by an American in your division? A. Yes.

Q. And that American has been in turn displaced by a Canadian? A. Yes, sir.

Q. From your evidence I judge that you have noticed criticisms in the press with reference to the employment of Americans? A. Yes, sir.

Q. Prior to that question arising, prior to your noticing these criticisms, what principle did you adopt? A. I considered the best men I could get for the post.

Q. Regardless of nationality? A. Regardless of nationality.

Q. You engaged the best men for the positions preferring no man of one to a man of another nationality? A. Yes, sir.

Q. That was the principle upon which you acted before you heard anything of any criticisms? A. Yes, sir.

Q. After it came to your knowledge that some objections were being made to Americans being engaged on the work on what principle did you act? A. I hired Canadians I think in every case.

Q. You have given Canadians the preference? A. Yes, in fact I have not hired any but Canadians except Gailor since that time.

Q. All except Gailor? A. I understood him to be a Canadian. I state this that if Mr. Gailor deceived me I will take steps to replace him with a Canadian at once.

Q. You understood from Mr. Gailor's letter that he was a Canadian? A. Yes and if he has deceived me—

Q. You have acted in good faith having always considered the best interests of the road and the country? A. Yes.

By Mr. MOWAT: Q. What salary did you offer Mr. McDonald? A. $175.

Q. Where? A. I think it was through Mr. Stephens' office.

Q. There is no application at all? A. No.

Q. No letter in your letter book? A. I do not think there is any letter, I think I wired Mr. Stephens and he took the matter up with him.

Q. Had you any communication with Mr. McDonald direct? A. Not direct.

Q. Then you have got the letter from Mr. McDonald refusing to accept the position? A. Well, I think—

Q. Personally you know nothing about it? A. I made application for him through the office.

Q. You made your application through the office and you do not know what they have done, you do not know whether they offered a position to him or not? A. Well I was told so.

Q. By whom? A. I think it was Mr. Stephens when he was here in my office.

Q. Mr. Stephens told you that he had offered a position to Mr. McDonald and he had declined. A. Yes, sir.

Q. Did you know that he had offered that position? A. No, sir.

Q. Can you find anything in those letter books or in the telegrams so that you can tell? A. I cannot say about that.

Q. Can you tell me what Mr. Watmer stated about Mr. Carry? A. I asked him for a record as to Mr. Carry's ability to keep a party together and he said that had been his fault all his life and he could not keep a party.

Q. That is the only statement Mr. Watmer made? A. Yes that is the only question I asked him.

Q. When was it you asked him that question? A. Shortly afterwards the same day or the next of receiving the application from Mr. Carry

Q. Did you not ask the gentlemen who recommended Mr. Carry with reference to that statement of Mr. Watmer?

A. Who is that, Mr. Darling? Q. Mr. Darling is one.

Q. Sir Thomas Shaughnessy? A. I never asked Sir Thomas Shaughnessy.

Q. Did you ever ask Mr. Darling? A. Yes, sir, I saw Mr. Darling.

Q. What did Mr. Darling say? A. His reply is there.

Q. "Mr. Carry worked for me as locating engineer on line changes for grade revision about two months and while with me did very good work and I was perfectly satisfied with him." Then he further states "and I can recommend him as being a very good man." You did not ask Mr. Peterson as to Mr. Carry's qualifications nor Mr. Macpherson? A. No, sir.

Q. Nor Mr. Ridout, civil engineer, Ottawa? A. No.

Q. Then you turned him down because of Mr. Watmer's statement that it was hard to get along with his men, that was the only reason? A. Yes, sir..

Q. Before you came to Canada I suppose you had very little acquaintance with Canadian engineers? A. I knew very little of them.

Mr. MOWAT to THE COMMISSIONER: There are two engineers in court. I have just spoken to them as to whether there are Canadian engineers available. I could call them now?

THE COMMISSIONER: Very well. Please step this way Mr. Russell.

Mr. ROBERT A. RUSSELL, being sworn.

By THE COMMISSIONER: What is your name in full? A. Robert A. Russell.

By Mr. MOWAT: Part of the scope of this Commission is to enquire as to whether there are Canadian engineers available for positions on this Grand Trunk Pacific Railway. It has been alleged on previous sittings that there are none such. Will you give us what your position was and experience as a Canadian engineer and what your achievements have been, and what you are doing now as shortly as may be? A. I am a graduate of the School of Science, Toronto.

Q. What year? A. 1893, since that time I have been following railway work continuously for about 12 years.

Q. Does that include location? A. Location and construction.

Q. Have you ever been in charge of location survey parties? A. Yes.

Q. When and how long? A. I was on the Parry Sound road, the Crow's Nest, the Great Northern of Canada in Quebec; Inverness and Richmond, Cape Breton, the Algoma Central.

Q. How many miles approximately would that be? A. Altogether?

Q. Several hundred miles? A. Yes.

Q. All kinds of country? A. Yes.

Q. On construction work? A. Yes.

Q. Well, has your engineering practice brought you in contact with the engineers of Canada? A. Some of them.

Q. Many of them? A. Quite a number.

Q. Can you tell us, as an engineer of this experience, whether you know that there are Canadian engineers qualified to take positions as division engineer, or assistant engineers for location work on this national railway? A. Yes, I know quite a number of them.

Q. Who have you met and can you give their names? A. Well, I have met Mr. H. W. D. Armstrong, A. H. N. Bruce, Robt. Laird, J. B. Garden, G. H. Garden, Z. J. Fowler, S. R. Poulin, Mr. Noble, Mr. Bowden, Mr. Hannington here.

THE COMMISSIONER: They have him.

Mr. RUSSELL: Of course Mr. Mountain, of Ottawa, Mr. Hibbard, Mr. Secretan, Mr. Galbraith, R. A. Galbraith—

THE COMMISSIONER: That is the Toronto man? A. Yes. Mr. Wicksteed down here. Mr. Tait. These are some of them, I could think of some more.

By Mr. MOWAT: Supposing I were to give you a list of Canadians who applied would you look it over and see if there are any others there whose capacity you know? A. Besides those I have mentioned? A. Yes.

Q. Mr. Carry, have you know his work? A. Just by reputation.

Q. Has he a high reputation? A. Very good as far as I have heard.

Q. It has been stated here that he has had difficulty with his parties? A. I cannot say anything as to that.

Q. Mr. E. H. Drury, you have met him personally? A. I have.

Q. What line of railway? A. The Crow's Nest.

Q. Mr. Wm. McCarthy, of Ottawa? A. I met him out there, too.

Q. On the Crow's Nest? A. Yes.

Q. Mr. Proctor? A. I met Mr. Proctor out there. I don't know whether it is the same man I met. He is assistant engineer of the Crow's Nest Railway.

Q. Found him a good man? A. Yes.

Q. You don't remember his initials? A. No, sir.

Q. His initials here are A. F.? A. I think that is the same man.

Q. Arthur Stephens? E. J. Walsh, of Ottawa? A. I think that is all I know.

Q. In addition to those you gave us before. What are you doing at present, private engineering or railway work? A. I am not engaged in my profession at the present time.

Q. It has been said here that the remuneration of division and district engineers varies from $3,000 to $4,000, would you think that rate of remuneration good in your profession? A. It is considered very good.

Q. Do you think positions with those salaries would be prizes in the profession? A. I would consider them so.

Q. Now I suppose you do not know where these men are employed at present or whether they would accept positions? A. No.

Q. Do you think these positions would tempt such engineers as you have spoken of? A. I have no doubt it would tempt some of them, most of them.

Q. From your knowledge of the rate of pay they are now getting? A. Yes.

Mr. BROWNING: You are speaking of your own personal knowledge, it would tempt most of them? A. I should say so.

Q. Take Mr. Mountain, for instance, do you think it would tempt him? A. I think it would.

Q. What position has he at present? A. He is chief engineer on the Canada Atlantic.

Q. And you think a position on this road would tempt him? A. The salary would most likely.

Q. You must take into consideration the question of salary as a part, do you think that Mr. Mountain would leave his position on the road? A. I did not mention Mr. Mountain's name.

Q. Do you think Mr. Mountain would accept the position occupied by Mr. Knowlton? A. I cannot say, but I think he would.

Q. You have had no opportunity of knowing his present salary? A. No, I know about.

Q. You know just about what he is getting? A. Yes.

Q. What is about his salary? A. About $200 per month.

Q. Where did you learn that? A. I was on construction on the Parry Sound.

Q. And you learned that? A. Yes.

Q. That is the extent of your knowledge of Mr. Mountain's salary? A. Yes.

Q. You are not at present actually engaged in engineering? A. No, sir.

Q. You are in private business, what is your present occupation? A. Mining.

Q. Mining engineer? A. Looking after some mines I own.

Q. Would anything on the road tempt you? A. I do not know.

Q. Are you one of these who would be tempted by a position such as Mr. Knowlton's. A. Yes, I would.

Q. Would you be tempted by a position such as Mr. Gailor's? A. No.

Q. In charge of a party on location? A. No, sir, I don't want to go out on location, I have had all I wanted of it.

Q. So nothing less than Mr. Knowlton's position would tempt you? A. A position like Mr. Knowlton's.

Q. For instance like Mr. Hannington's position? A. He is out in the field.

Q. When he is not in the field, would you accept his position? A. Yes, I think I would.

Q. You are not looking for a job? A. Not at the present time.

Q. Is Mr. H. W. D. Armstrong available? A. I cannot say, he was the last time I heard from him.

Q. When was that? A. About two months ago, I saw him in Ottawa.

Q. Did he graduate in 1893 with you? A. Mr. Armstrong?

Q. Yes? A. No.

Q. Where did he graduate? A. In Toronto.

Q. You don't mean W. J.? A. No, I mean H. W. D.

Q. What is he doing in Toronto just now? A. That is where he makes his home.

Q. He was not employed when you saw him? A. He was not, I think the last employment he had was with the Bobcaygeon road.

Q. How long ago? A. About three months ago.

Q. He left because the work stopped? A. The work is still going on.

Q. What was the reason he left? A. I don't know.

Q. You speak of him as being a good man? A. Yes.

Q. As having acted with you? A. Yes.

Q. At Crow's Nest? A. Yes.

Q. For how long? A. Was on location there for 5 or 6 months in charge of a party and was in charge of a division of construction.

Q. Who is Mr. Bruce? A. He lives in Ottawa.

Q. Is he out of a job? A. No.

Q. He has not applied apparently? A. Yes, he is on the list.

Q. To your knowledge what are his qualifications? A. I have associated with him for a good many years on the Parry Sound and on the Great Northern in Quebec.

Q. You consider him an A. 1 man? A. A good man.

Q. An A. 1 man? A. Able to fill that position.

Q. Do you consider him a first-class man? A. What do you consider a first-class man?

Q. I consider— A. I consider him a capable man.

Q. There are capable men, but I am asking if you consider him first-class? A. Yes, I do consider him a first-class man.

Q. For a position such as Mr. Knowlton occupies? A. Yes, I do.

Q. You say you worked with him for the past four or five years? A. Yes. more than that.

Q. Robert Laird, who is he? A. He is at present in charge of a division on the Temiscouata Railway.

Q. He is employed? A. Yes.

Q. Has he applied for a position? A. Not to my knowledge.

Q. Are his services available? A. I don't know, it depends upon salary.

Q. Charles Garden, who is Mr. Garden? A. He is an engineer of reputation.

Q. Rather an old man? A. He is a man about 50.

Q. Do you know that he was offered a position and refused to accept? A. I did not know it.

Q. You would not say he would accept a position if offered one? A. What kind of a position?

Q. Such as Mr. Knowlton's? A. I think he would, it depends on the salary he was offered.

Q. Mr. Knowlton says he was offered a salary of $175 and refused it? A. He must have better.

Q. This may be the case with a lot of others? A. It may be, I don't know, but Mr. Garden is a man of 50 years of age, he would not like to go out into the woods on preliminary or reconnaissance survey, he has done a great deal of that in his time.

Q. This is hard work? A. Yes it is very hard.

Q. Then as to W. H. Garden, a brother? A. No, another man.

Q. About same age, is he as good a man as the first Garden? A. A very good man.

Q. Are his services available at present? A. Is employed at Lethbridge at present.

Q. Do you know what he is getting there? A. No I don't.

Q. Is it your experience that the Grand Trunk Pacific is paying higher wages than the Crow's Nest Pass Rwy? A. Yes it is.

Q. You think that Mr. Garden might be tempted to leave his present place? A. I do not know if a position of that kind would tempt him, I do not know if it would any of these men.

Q. If they could get a position like Mr. Knowlton's do you think they would accept? A. I think so.

Q. Mr. Fowler, who is he? A. He is of Ottawa.

Q. A young man? A. A man of about 50.

Q. What is he doing? A. Carrying on a private practice.

Q. Do you think he would be tempted to leave that? A. I think he would.

Q. He made an application? A. I don't know.

Q. Mr. S. R. Poulin, do you think Mr. Poulin would be tempted to take a position of this kind? A. Well I have not seen Mr. Poulin for a couple of years.

Q. Well I don't know the gentleman but I understand he has a very good position? A. I don't know.

Q. You do not know whether he has got a good position? A. I don't know his present position.

Q. Is not Mr. Poulin one of Ottawa's contractors at present? A. He was.

Q. Has he gone down in the world? A. I believe so.

Q. Since how long? A. Within three or four years.

Q. You do not know whether this would tempt him or not? A. I don't know, I think it would.

Q. Was he ever on railway engineering work? A. Yes for some years.

Q. And Mr. Noble, who is he? A. He comes from the Maritime Provinces.

Q. What is his experience? A. He is a very good railway man.

Q. What is he doing at present? A. I cannot say, the last time I heard of him about work was on the Victoria Beach Railroad down in Cape Breton.

Q. Did you work for him? A. Yes.

Q. Where? A. Down in Cape Breton.

Q. How long? A. For two years.

Q. Could he take Mr. Knowlton's place? A. Yes.

Q. Would he be tempted by such a position as Mr. Hannington's? A. I think so.

Q. Mr. Boucher is a good man? A. Yes, Mr. Boucher is a good man for location work.

Q. He was hired on railway work here? A. He was on the Temiscamingue Railway.

Q. You know he was compelled to leave that work? A. Yes.

Q. For the same reason as Mr. Knowlton discharged him? A. Yes.

Q. Are any of these other men suffering from the same difficulty? A. I never heard of them having it.

Q. Who is Mr. Hibbert of Montreal, is he out of a position? A. I really don't know.

Q. What experience has he in taking charge of parties, such as Mr. Hannington does? A. Well Mr. Hibbert is an old engineer, not a very old man, about 50, he has been on the Parry Sound and a good many different railways in the country. I think he is now working on a line running out of Montreal called the Montreal extension.

Q. If you were in Mr. Knowlton's place, knowing Mr. Hibbert as you do, would you place him in charge of one of the parties? A. I certainly would.

Q. Mr. R. A. Galbraith? A. He has a good position.

Q. A good position? A. Division engineer on the Temiscouata Railway.

Q. Not looking for a position on this road? A. I don't think he is an applicant.

Q. Would he be tempted by one of these positions such as that of Mr. Knowlton or Mr. Hannington? A. I think he would, he has not got the same salary.

Q. What salary has he got? A. $150.

Q. You don't think he would leave for $175? A. Not to go out into the field.

Q. Is he at present in an office? A. No, he is out in the field.

Q. His work at present is it not construction on that road? A. No.

Q. Mr. Wicksteed: you do not wish me to understand he is out of a job? A. Not at all.

Q. He has a very good position? A. He is in charge of several location parties between Sudbury and Toronto.

Q. I suppose Mr. Wicksteed gets about $200 a month? A. I think he does.

Q. He would not like another job? A. He might be tempted, it depends on salary attached to same.

Q. And Mr. Tait, who is he? A. He is of Toronto, is with Mr. Mackenzie.

Q. Do you know Mr. Tait? A. I know him.

Q. Is he out of a position? A. I don't know.

Q. Since when have you known him? A. I knew him on the Crow's Nest.

Q. How long ago? A. About seven years ago.

Q. So you do not know anything about Mr. Tait at the present time? A. I see he was employed recently in the office of Mackenzie and Mann.

Q. How long have you known Mr. Drury? A. I met him out there.

Q. How long since you actually came in contact with him? A. Seven years.

Q. You do not know whether he is available or not? A. Yes.

Q. Your knowledge of him is very vague? A. Yes, very vague.

Q. Where is Mr. McCarthy? A. I cannot say.

Q. Where is he? A. I don't know.

Q. He may be in Muskoka? A. He may be.

Q. A. F. Proctor, where is he? A. I cannot say.

Q. And Arthur Stephens, he is an expert in railway work? A. He has been employed on railways but I don't know whether you would call him an expert.

Q. You would not call Mr. Arthur Stephens a very good man? A. I do not know anything about his qualifications as a railway man.

Q. You spoke of him? A. I spoke of him in charge of a party.

Q. And you would not engage him? A. I think I would.

Q. You would be taking chances? A. I do not know if I would be taking so many chances.

Q. Are you an associate member of the Canadian Society of Civil Engineers? A. Yes, sir.

By THE COMMISSIONER: Q. Do you know Mr. Stephens, Assistant engineer of this line? A. I am acquainted with him.

Q. How long? A. Two or three months.

Q. Do you know any engineer, or is there any of these engineers qualified for the position he occupies? A. I would not like to say that.

Q. Do you not think there are engineers in Canada who could take that position? A. Yes, Mr. N. H. McLeod, Mr. Lumsden, Mr. Armstrong, Mr. J. White, Mr. Wicksteed, could take the position.

Q. Do you think that the salary of $7,500 would tempt them? A. I think they would be tempted.

Q. Did you say that you knew this Mr. Boucher who was dismissed for the excessive use of liquor? A. Yes, sir, I knew him.

Q. Have you ever seen Mr. Stephens under the influence of liquor? A. I don't think I have.

Q. I understood that you have? A. I do not think that I have.

Q. I understand that you have seen him in this town under the influence of liquor? A. No I don't know that I have.

Q. Just think and see if you have? A. No, sir, I cannot say that.

Q. You have taken a drink with him? A. Yes, sir, I have taken a drink with him.

Q. More than one? A. Yes, more than one.

Q. Was he under the influence? A. I cannot say that.

Q. Not on any occasion? A. Not to my knowledge.

Q. You are quite satisfied that that is a correct statement? A. I would swear that I have not seen Mr. Stephens affected by liquor.

THE COMMISSIONER: You say so, you know best.

Mr. Robert Laird, being sworn:

The Commissioner: Q. What is your name in full? A. Robert Laird.

By Mr. Mowat: Q. I am told you are an engineer of some years practice? A. Yes, sir.

Q. How long? A. Graduated from the School of Science in 1886; became land surveyor in 1887, practiced engineering on railways since that time continuously.

Q. On different lines? A. I was first of all on the C.P.R., I was afterwards on the Parry Sound line; I was in Nova Scotia, in Algoma and on the Temiscamingue and Northern Ontario.

Q. Has your practice brought you in contact with many engineers on these lines, Canadians? A. Americans and Canadians.

Q. Were you in court here when Mr. Russell was giving his evidence, do you know the names he mentioned, do you agree with him? A. I know some of these he mentioned, I do not know them all.

Q. How many of them do you know? A. Let me see the list you mentioned. (Looks over list.) H. W. D. Armstrong, served with him a year and a half. Mr. Carry, I know personally and know of his work. J. Chalmers, this is not the one I know. J. L. Boyd, Toronto, he has charge of a party for Mr. Wicksteed and is proceeding extremely well.

Q. On location? A. Yes, on location. W. F. Lane, I think he was in charge of reconnaissance on the Algoma Central, a very good man. W. McCarthy, good for construction, not a large experience on location. J. A. Paterson, at one time division engineer on the short line C. P. R., and on the C. P. R. works for some years.

Q. You know him? A. Yes.

Q. What are his achievements? A. He was chief engineer on the short line, also on the Detroit extension near Chatham, he was second engineer there and then was with Carry on the belt line Toronto.

Q. A very good engineer? A. Yes, sir. Cecil B. Smith, I served with him on location on the Detroit extension in 1889, I think it was, he is a good man. That is all I know.

Q. Then besides this list are there any others you may know yourself? A. I have heard of Mr. S. R. Poulin. Mr. Noble I consider the best locating engineer in Canada.

Q. What are his initials? A. H. V. Noble. I know Mr. Hill, I served with him, a good locating engineer. R. A. Hazlewood, he is counted very good. R. A. Galbraith, my chief. Of course Mr. Russell.

Q Mr. W. B. Russell is capable of occupying such positions? A. Yes.

Q. Do you happen to know what remuneration he gets? A. $250 a month.

Q. As chief engineer on the Temiscamingue and Northern Ontario Railway he gets $250 a month? A. Yes.

Q. Do you know John Irving? A. No, I do not.

Q. Wicksteed? A. Yes.

Q. What is his reputation? A. First-class.

Q. M. H. McLeod? A. Served with him a year.

Q. T. H. White? A. The best engineer we have in Canada for construction.

Q. Supposing there are 150 engineers at the head of their profession in Canada would these men come within that 150? A. Certainly.

Q. Are they in your opinion all fitted for the position of division engineer? A. Some of them, White or McLeod are capable of taking charge of the whole thing.

Q. As chief engineer? A. Yes, sir.

Q. You are familiar with the rates of pay of engineers, do you think that a salary of from $3,000 to $4,000 would tempt these men? A. I think it would.

Q. Are you a member of the Canadian Society of Civil Engineers? A. I have been, I am afraid I am not now in good standing.

Q. You have not paid your fees for last year? A. No.

By Mr. Browning: I understood you to say that you personally know Mr. W. F. Lane? A. Yes, I don't know if it is the same name. The Mr. Lane I mean I met him when I was in charge of a party of men, he had charge of a party.

Q. Do you consider him a first-class man to have charge of a party on location? A. Both reconnaissance and location.

Q. You worked with him? A. He worked in the next party to mine.

Q. You consider Mr. Noble the best locating engineer? A. He was but he is rather old now. He had the best reputation.

Q. That is the trouble with a great many, they get old? A. Noble is still quite able.

Q. When you get past a certain age you can only occupy certain positions? A. No, sir, Mr. Noble is still fit for field work.

Q. For field work? A. Yes.

Q. Capable of taking charge of a party? A. Yes, but I think his training would be lost in taking charge of a party, he is worthy of more than that.

Q. You have had a pretty wide knowledge of engineers in Canada? A. Yes, sir.

Q. Is there a large number of good engineers in Canada? A. Yes.

Q. Is it not a fact that nearly all these engineers have good positions at the present time and are well to do? A. No, sir, because engineers as a profession are spenders of money and never have much ahead.

Q. But is it not a fact that most if not all the good engineers in Canada are in positions? A. I think so.

Mr. Charles F. Hannington, being sworn.

By The Commissioner: What is your name in full? A. Charles Francis Hannington.

By Mr. Mowat: Are you an engineer of several years standing? A. Yes, sir.

Q. How many? A. I began in 1871 as rodman.

Q. Are you a Canadian or a British subject? A. Yes, I am a New Brunswicker.

Q. Do you know Mr. Gailor? A. Yes, I took him out to the line the other day.

Q. Is he an American? A. He told me the other day he was born in the Eastern States.

Q. Did he tell you he had ever taken out papers in Canada? A. I did not ask him.

By Mr. Browning: You are in charge of the staff under Mr. Knowlton? A. Yes.

Q. Some reference is made to a man named Pim, was he an American or a Canadian? A. He was a British subject.

Q. Do you know Mr. Pim? A. Yes.

Q. Were his services satisfactory? A. No they were not satisfactory as far as his work is concerned.

Q. Was Mr. Knowlton justified in dismissing him? A. Yes.

Q. Can you speak as to Mr. McLennan? A. Mr. McLennan was the second man put on, I was the first. Mr. McLennan's work was not satisfactory. It had to be gone over in the majority of cases.

Q. Then Mr. Knowlton was justified in dismissing him? A. Quite so.

Q. Mr. Lane was mentioned by Mr. Laird as being a first-class man, what do you say about him? A. Yes, I ran a preliminary line with him. In the next one the only delay was caused by a reconnaissance he had done.

Q. So you would not consider him a good man? A. No, in truth I would not like to give him a party.

Q. He was starting then? A. I do not know anything about him.

Q. Having made a serious mistake then you would consider him open to the same now? A. Well, he may have improved.

Q. He made a serious mistake then? A. He was entirely wrong.

Q. Do you know Mr. H. V. Noble's work of whom Mr. Laird has spoken? A. Yes, I think he located the Grand Trunk between here and Toronto.

By THE COMMISSIONER: Just one question, Mr. Hannington. Comparison has been made as between Mr. Russell's division and yours? A. I am looking over 660 miles for Mr. Knowlton and Mr. Russell has 120 miles. There is certainly a great deal more work on the Grand Trunk Pacific than on any other Canadian branch lines.

Q. You speak of that with knowledge? A. Certainly.

Q. But apart from the difference in extent is there not a difference in distance from base of supplies? A. I do not know about the Temiscamingue, the only difficulty is getting in supplies to feed the men properly.

Q. You do not consider that there is any great disproportion between the two. A. I do not know anything but what I said.

Q. Mr. Knowlton said you would know the nationality of some of the members of the parties, do you know Mr. Landry? A. Yes.

Q. Mr. McKenzie? A. Yes, Landry is from New Brunswick and McKenzie is from Ontario. J. A. Johnston is a Canadian. J. S. Leitch, I met him when coming down, I don't know anything about him.

Q. Do you know whether he is a Canadian or an American? A. I am positive he is a Canadian, but I would not swear to it, this matter has been talked over by the men.

Q. What about Mr. Forsberg? A. I am not sure, I don't know what nationality he is.

Q. How long has he been in the service? A. I don't know these two parties belong to the other division, they belong to Winnipeg.

Q. How long would it take to bring that staff in, about three weeks? A. If they hurried they could make it in 10 or 15 days.

Q. Whereabouts are they? A. I left them on the Savanne Lake on the 3rd.

Q. As district engineer you have charge of seven parties? A. Of five, I have nothing to do with 1 and 2.

Q. Can you tell me of all these parties who are American citizens except Mr. Forsberg? A. Mr. Taylor is an American, his staff is Canadian.

Q. Joseph Tempest, his transitman, is named Cody? A. He was hired as topographer. He was an American, I think he is naturalized.

Q. When did he come in? A. He has been in the country on the Algoma Central three or four years.

Q. He is transitman under Mr. Joseph Tempest? A. Yes.

Q. You took the men's statement? In Mr. Gailor's case he represented himself to be a Canadian to Mr. Knowlton and he represented himself to be an alien to you? A. Just one evening to me.

Q. Just one letter to Mr. Knowlton?

Q. It was not official his conversation.

Q. Then most likely to be true.

Q. Then as to Forsberg you are not certain? A. I think he is a Canadian.

Q. Where does he come from? A. I think he was sent up by Mr. Kyle.

Q. When did he arrive here? A. The division was lengthened on the 1st January.

Q. Will you find out for me I know it is very costly to bring these men in, you say it will take about three weeks, but I may have to bring them in.

North Bay, 27th June, 1904.
Court House, 2 p.m.

Mr. T. C. TAYLOR, being sworn:

THE COMMISSIONER: Q. What is your name in full? A. Thomas Clarence Taylor.

Mr. MOWAT: Q. You have heard the evidence given by Mr. Knowlton in reference to your employment? A. I think the greater part of it. I would not say all.

Q. You have heard the correspondence which passed between you and him? A. Yes.

Q. I suppose the correspondence sets forth the facts? A. That is my reply to Mr. Knowlton, it was rather of a private nature and the statement there is hardly correct.

Q. That is you made a mistake and— A. It was a private letter.

Q. You did not mark it such? A. I am not sure whether I did or not, at any rate I wish ' make the correction—

Q. You see it is addressed to Mr. G. A. Knowlton, Engineer in charge, North Bay, Ont.? A. Yes.

Q. Did you know Mr. Knowlton before that? A. I have known Mr. Knowlton for five or six years and knew of him for a good deal longer.

Q. There were offered you two positions in that letter, one as assistant engineer at $175 and one as transitman at $100? A. I think the former was rather a tentative offer, as certainly it is.

Q. But taken together you expected a position? A. My recollection was that there might be a position.

Q. The offer made of the $100 as chief draughtsman was a more direct offer? A. I think so.

Q. It does not appear to be from this letter as I understand it: "In case I could offer you a position as chief draughtsman at $100 a month to start with, would you accept this?" You see that both are straight offers. You are an American citizen? A. I am.

Q. And moved here? A. August 13th, 1903.

Q. In consequence of being employed by Mr. Knowlton, while in the States? A. In consequence of the telegram.

Q. And the correspondence? A. Yes.

Q. And you have been in charge ever since August, 1903, of party No. 1? A. Yes.

Q. You were then getting $125 on the Great Northern Railway? A. Yes.

Q. You now receive $175 and expenses? A. Yes.

Q. You had to pay your own expenses when on the Great Northern? A. Yes, at headquarters.

Q. And now these expenses are paid in addition to the $175? A. At headquarters.

Q. But when you are in camp that is your headquarters? A. Not in times of absence on business or something of that sort.

Q. But that is the engagement, $175 and expenses? A. Yes.

Q. That has been paid to you ever since? A. Yes.

Mr. MOWAT: That is all Mr. Taylor.

Mr. WILLIAM FIELD GRAHAM, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. William Field Graham.

Q. What position do you occupy on No. 1? A. Transitman.

Q. Who employed you? A. Mr. Knowlton.

Q. Where? A. Dundas.

Q. Do you belong to Dundas? A. Yes.

Q. Were you born in Canada? A. Yes.

Q. And lived here ever since? A. Yes.

Mr. GERALD MARRYATT, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. Gerald Marryatt.

Q. What position do you occupy? A. Topographer.

Q. With party No. 1? A. Yes.

Q. How long have you been employed? A. About 18 months ago.

Q. What were you employed at first? A. As rodman.

Q. Who employed you? A. Mr. Kyle employed me in the first place.

Q. Where? A. Here in North Bay.

Q. Where were you born? A. In England.

Q. A British subject? A. Yes, sir.

Q. There is no doubt about that.

By Mr. MOWAT: Is it at all possible that you are a relative of the great writer Captain Marryatt? A. It is highly probable.

Mr. ANDREW N. O'KELLY, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. Andrew Nolan O'Kelly.

Q. What position do you occupy on party No. 1? A. Leveller.

Q. How long have you been leveller? A. I was engaged by Mr. Knowlton about the 18th of May last.

Q. You succeeded Mr. Graham? A. Yes.

Q. Mr. Graham succeeded Mr. Copeland? A. Yes.

Q. What were you doing before that? A. I was on the Temiscamingue and Northern.

Q. How long on that? A. For a year.

Q. Are you a British subject? A. Yes.

Q. Where were you born? A. In the west of Ireland.

Mr. TAYLOR, recalled:

By THE COMMISSIONER: Q. Mr. Taylor do you know anything about Mr. Brobeck? A. He showed me a paper stating he was naturalized in British Columbia in 1898.

Q. He is your draughtsman now? A. Yes.

Q. Since how long? A. About 30 days.

Q. And what was he before that? A. He joined the party at that time.

Q. Where? A. At North Bay.

Q. Who employed him? A. Mr. Knowlton.

Q. Where had he been before that?

By Mr. KNOWLTON: He was on a visit to Sweden.

Q. Where was he reported to be before that? A. Vancouver, I think.

Q. You did not know him personally? A. No, he has been in British Columbia.

THE COMMISSIONER to Mr. TAYLOR: When will he be here? A. He is coming by train. He got behind and we came on.

Q. Where did you start to walk from? A. From Gordon's Landing.
Q. Got out of canoes there? A. About 18 miles from here.
Q. And Brobeck lingered behind, so that he is not equal to the rest of the party in endurance. Is he up in the canoe yet seeing that you left him up there? A. It did not require much canoeing.
Q. He is not much of a canoeman, not much of a pedestrian, nor much of a draughtsman? A. He has been a draughtsman for a great many years.
Q. Does he come up to the rest of your party in his work? A. I cannot say that, he has not been a member of the party very long.
Q. How soon can he get here? A. I think he will be here to-night.
To Mr. KNOWLTON: Mr. Stadly is not here? A. He is not in town, he was subpoenaed as a witness on a case on the Algoma Central and left here on the 4th June and has not returned yet.

Mr. DONALD S. MCLEOD, being sworn.
By THE COMMISSIONER: What is your name in full? A. Donald Stuart McLeod.
By Mr. MOWAT: You are chief clerk in the head office of the division here? A. Yes, sir.
Q. Under Mr. Knowlton? A. Yes, sir.
Q. I am told you were born and brought up in Montreal? A. No, sir, I was born in Ottawa and went to Montreal 18 years ago.
Q. You must have been a small boy then? A. Yes.
Q. Started as office boy in the Grand Trunk and obtained your present position? A. Yes.
Q. I only hope you will go higher.

Mr. LISTER JANDROW, being sworn.
By THE COMMISSIONER: What is your name in full? A. Lister Jandrow.
Q. You are a stenographer? A. Yes, sir.
Q. How long have you been in the service? A. About two months.
Q. Where were you employed? A. I was in England before that.
Q. And came out from England to take the position? A. No, sir, I got it after arrival.
Q. What influence had you? A. None whatever.
Q. I suppose your proficiency as a stenographer is what employed you? A. Yes, sir.

Mr. JAMES M. FOTHERINGTON, being sworn.
By THE COMMISSIONER: What is your name in full? A. James Morson Fotheringham.
Q. What position do you occupy under Mr. Knowlton? A. Draughtsman.
Q. Are you assistant draughtsman or chief draughtsman? A. Assistant draughtsman.
Q. You are under Mr. Stadly? A. Yes.
Q. Where is Mr. Stadly? A. I don't know.
Q. When did he leave the office? A. About three weeks ago.
Q. When do you expect him back? A. I understand he was to return this week.
Q. Where were you employed, Mr. Fotheringham? A. In Toronto.
Q. You live in Toronto? A. I have no home.
Q. Where were you before going to Toronto? A. Minneapolis.
Q. When were you in Minneapolis last? A. About the 22nd of March.
Q. This year? A. Yes.
Q. Are you an American citizen? A. No, sir.

Q. How did you come to be in Minneapolis? A. I was at railway work there.

Q. How long were you there? A. I was there just for the time.

Q. How long altogether? A. About two years in the States.

Q. What railway were you working for? A. The Chicago, Milwaukee and St. Paul, before that the Minneapolis, St. Paul and Sault Ste. Marie.

Q. What position did you occupy on these railways? A. I was draughtsman general maintenance of way work in Milwaukee, and on Washington road I was assistant engineer of a party for a time, and resident engineer on construction and I was on survey last winter for the Sault.

Q. You are a transitman and leveller? A. Yes.

Q. You say you were only two years in the States? A. A little over two years.

Q. Where were you before that? A. On the Algoma Central.

Q. How long? A. For a year.

Q. Where were you born? A. In Hamilton.

Q. Ontario? A. Yes.

Q. You lived there? A. Always previous to the last few weeks.

Q. Do your parents live there? A. No.

Q. Where do they live? A. My father is dead and my mother is on a visit.

Q. You did not take out any intention papers in the States? A. No.

Q. You are still a British subject? A. Still a British subject.

Mr. Eric Brobeck, being sworn:

By The Commissioner: What is your name in full? A. Eric Brobeck.

Q. What position do you occupy in party No. 1? A. Draughtsman.

Q. How long have you been on the party? A. Not quite a month.

Q. Where were you before you were employed? A. I was employed as locating engineer with the Bellingham Bay and British Columbia.

Q. How long were you there? A. About two years.

Q. And before that where were you? A. With the Oregon River and Navigation Company and on the Northern Pacific.

Q. How long were you in the States? A. I have been there about four years.

Q. Where did you come from to the States? A. Sweden, I am a native of Sweden but a naturalized British subject. (Produces his naturalization paper.)

Q. This was in 1898, the 14th of March. You obtained a certificate from the Deputy Registrar of the County of Cariboo, in the Province of British Columbia. A. Yes.

Q. And you are still a British subject? A. Yes.

The Commissioner: That is all.

Mr. George W. Stadly, being sworn:

By The Commissioner: Where have you been for the last three weeks? A. In St. Paul.

Q. What is your name in full? A. George W. Stadly.

Q. What position do you occupy on the Grand Trunk Pacific? A. Third draughtsman.

Q. At the office in North Bay? A. Yes, sir.

Q. When were you employed as such, Mr. Stadly? A. On the 8th of February, 1904.

Q. Where were you when employed? A. At Sault Ste. Marie.

Q. How long had you been there? A. I had been there since October, 1900, and previous to that was in Sudbury about six months.

Q. I understand that you are an American citizen? A. I am.

Q. Were you born in the United States? A. I was born in Germany.

Q. And naturalized in the United States? A. No, I am a citizen by virtue of my parents nativity.

Q. They were Americans, but you were born in Germany? A. Yes.

Q. When you came to North Bay you took an interest in the work that was going on under Mr. Knowlton? A. Yes.

Q. You wrote over to an engineer employment agency at Syracuse? A. I did.

Q. For what purpose? A. The company at Sault Ste. Marie were in financial difficulties and all the engineers' positions had been abolished and I had been listed with the employment agency for four years and never took my name off the list hoping they would offer a better chance.

Q. But that does not answer my question, why did you write over to the employment company on behalf of the Grand Trunk Pacific, you wrote to the company? A. Yes, I did.

Q. What did you do that for? A. I asked if they had any engineers unemployed and I believe I stated in the letter that Canadians would be given a preference.

Q. Have you a copy of that letter? A. No, I have not.

Q. At whose request? A. I don't think there was any request, I had a general conversation with Mr. Knowlton.

Q. And in consequence of that conversation you wrote? A. Yes.

Q. Are you sure, Canadians would be given the preference, was in your letter? A. I am quite sure it was in a subsequent if not in the first letter.

Q. Do you know what means they took to obtain engineers for the Grand Trunk Pacific? A. I expect they took the usual means. They communicated with the engineers and others they had on their list.

Q. Have they got any advertising medium? A. They advertise in the "Engineering News."

Q. Did you get any answer to that advertisement from these people? A. Yes, one.

Q. Did you employ him? A. I think so.

Q. Do you think any others were employed? A. Not a single person.

Q. Mr. Gailor was? A. I never had a letter from Mr. Gailor.

Q. You were not aware that he was employed by answering that advertisement? A. No.

Q. You are still, I understand you to say, an American citizen? A. Yes, sir .

By Mr. Mowat: Mr. Pim comes to me and tells me that he feels aggrieved at a statement that appears in the press.

The Commissioner to Mr. Pim: I got your letter and asked Mr. Knowlton the reason of your dismissal and Mr. Knowlton said that he had just cause, that you were not competent for the work, but I will now hear you in evidence.

Joseph Phelps Pim, being sworn:

By The Commissioner: Q. You had charge of party No. 7 until the 2nd of June? A. Yes.

Q. And you were relieved on that date? A. Yes, sir.

Q. And you heard that it was on the charge of incompetency? A. Yes.

Q. What do you say as to that? A. I would like Mr. Knowlton to state whether he was positive as to where the line was. I ran about 66 miles of location and about 30 miles of reconnaissance.

Q. You are a British subject? A. Yes, sir.

Q. Where were you employd? A. In 1873 on the C. P. R. and between that and 1889 on construction and location on the C. P. R.

Q. From there? A. I was in charge of the light house department for two or three years; had charge of construction on the Quebec Central, ran preliminary line for the Tobique Valley Railway.

Q. You have done your duty as well as you knew how and you think properly. These returns were not made properly? A. I had no time, had a great deal of work to be gone through, the country was very difficult and I spent more time in the field in order to get through. I admit that the returns were not as they should have been.

By Mr. Browning: Where have you been since 1889? A. In the United States.

By The Commissioner: Is there anything else you would like to say? A. No.

Q. What you state in your letter is correct, and you cannot state any more now? A. No.

Ottawa, Ont., 10.30 a. m., July 2nd, 1904.
Railway Committee Room,
House of Commons.

The Commission resumes.

Present: His Honour Judge Winchester, Commissioner,
" H. M. Mowat, Esq., K.C., representing the Government,
" Andrew Haydon, Esq., representing Grand Trunk Pacific.

His Honour Judge Winchester reads the Commission.

Mr. Collingwood Schreiber, being sworn.

By Mr. Mowat: Mr. Schreiber, you have been for some years chief engineer in the Department of Railways, Canada? A. Yes.

Q. It seems almost like presumption to ask you what your qualifications are, but for the purposes of record will you kindly say what has been your experience in railway engineering? A. I do not quite understand your question as to my experience of engineering.

Q. Of course we all know your achievements, but will you kindly say how long your experience in Canada has been? A. Since 1852.

Q. And continuously? A. Continuous practice up to this date.

Q. Has your practice as engineer brought you into contact with other practising engineers in Canada? A. Yes.

Q. To a large extent? A. To a very considerable extent.

Q. Even down to the present time? A. To the present time.

Q. Now I have called you, without previous consultation, to ask for an opinion and in order to get that intelligently I will repeat for your information something that has occurred in this Commission. The heads of the Grand Trunk Pacific Railway say that they had appointed a number of staff engineers, as Mr. Stephens from the Topeka, Aitchison & Santa Fé Railway, Assistant Chief Engineer and in charge of this location, paying him $7,500, then three division engineers, with an average of 800 miles of territory under them, at $4,000 each; then a harbour engineer at Port Arthur at $3,600; then three district engineers, two being at Edmonton and one at North Bay, at $3,000 apiece.

Then Mr. Stephens on being examined before this Commission under oath at Montreal was asked:

"Have you visited the United States in your endeavours to get men?

"A. No, sir I never attempted it, I never thought of it. It is the very last idea that ever entered my mind. That is one thing I am certain of.

"Q. Did you personally invite any person from the United States to come over?

"A. Yes, after I had exhausted every effort to get others here.

"Q. Because you could not get Canadians to do it? A. Yes.

Q. Now having obtained your experience and the statement that you are familiar with engineers in Canada will you give me your opinion as to the correctness of that statement? A. Well I can only say that he never applied to me for one.

Q. Never consulted you in the matter? A. No.

Q. Then generally speaking what is your idea or opinion as to whether there are Canadian engineers of experience in railway work who would be available for these positions I have mentioned, I am not caring now whether they are in positions or not keep this in mind—who would likely be tempted by salaries ranging from $7,500 to $3,000? A. I say there are many competent for the work and these salaries would tempt them.

Q. It has been shown that out of these eight principal officers in the Grand Trunk Pacific seven are American citizens with experience on American roads in Virginia, Oklahoma, California and the Northern States, have you got an opinion as to whether engineers who are already familiar with the topography and physical conditions of Canada have any advantage over those who are accustomed to work in southern climates, or more temperate climates? A. I would think that the men who are accustomed to our climate, wintering out in the woods, would be better able to do the work than those from hot climates, if that is what you mean.

Q. Yes, that is what I mean. In a surveyed country like Manitoba and the North-West Territories where the system of surveys, the system of numbering the lots, and the system of allowing road allowances between townships differ from that in the United States, would a locating and surveying engineer who is familiar with that system have any advantage? A. I would not think very materially so.

Q. That is provided he learned the Canadian system? A. Yes I think so.

Q. There is a case where a mistake was made in calculating from block No. 3 in the Canadian survey which would not be No. 3 in the American survey? A. Well I know nothing of that.

Q. But would they have to know the system or keep in mind that it might be a disadvantage? A. Yes.

Q. Now there are several engineers from the City of Ottawa who applied to the Grand Trunk Pacific, or if they did not apply advised the Grand Trunk Pacific of their availability and desire to get on the surveys. Mr. A. N. Bruce for example, do you know him? A. No, I do not know him personally.

Q. You do not know his engineering works? A. I have heard of them.

Q. What is his general reputation? A. Very good.

Q. Mr. A. C. McDougall? A. He is on my staff, I have had him on my staff.

Q. Have you found him good? A. Sufficiently good.

Q. Has he had experience in railway work? A. If it is the one I refer to not much in railway work, A. J. is the one I refer to.

Q. I think he is the son of the Auditor General? A. I have known of him on several works but not on railway works.

Q. Is he a competent engineer? A. Yes for the experience he has had.

Q. In general practice? A. Yes.

Q. E. J. Walsh? A. A thoroughly competent man.

Q. Mr. William McCarthy? A. A good man.

Q. Where is he now? A. I just sent him out to the Canadian Northern as inspecting engineer for the Government.

Q. Do you know where his headquarters are? A. Likely at Edmonton or Prince Albert.

Q. As inspecting engineer for the Government? A. Yes.

Q. Being a highly responsible position? A. Yes, he has been on my staff for a number of years.

Q. Do you know Mr. J. J. Collins? A. Yes a very good assistant.

By The Commissioner: Q. Mr. Stephens has the position of chief engineer, he is called assistant chief, but is really chief for this survey. Do you know any Canadian qualified for that position? A. Well I think Mr. Perry could fill the position; Mr. H. Lumsden could fill it equally well I think; Mr. Ker I think could fill the position, he is city engineer, N. J. Ker; W. T. Jennings, any one of these would make, they would be well qualified and would make good officers for the position.

Q. Have they had experience? A. Oh yes they have had a great deal of experience.

Q. In Canadian railways? A. Yes.

Q. Would the remuneration that is now being paid Mr. Stephens be an inducement to these gentlemen? A. They would be glad of it I am sure.

Q. Do you know of others? A. Yes, I may state that Mr. H. F. McLeod is another good man for that position, also Mr. P. S. Archibald and Mr. Mountain.

Q. Do you know where they were? A. Mr. Walsh I know was anxious for and ready to take employment, Mr. Jennings I would say is in private practice in Toronto and I think Mr. Lumsden would have been glad. I fancy Mr. McLeod also.

Q. You are only speaking from your experience? A. Quite so.

Q. I noticed the other day that Mr. Mountain changed his position, so changes constantly occur? A. Certainly.

Q. Every one is trying to better his position? A. Well I happen to know all these men. Mr. Jennings I know would have taken the position and could have filled it satisfactorily to everyone.

Q. Now then with reference to the position of division engineers, they are paying them $4,000. There are three of them. Do you know any Canadian or British subject living in Canada, qualified and available for that position? A. Oh yes.

Q. Can you give me the names of any? A. It is very difficult to remember the names of any. Mr. H. P. Bell, who is in British Columbia, there are a number, I cannot remember just now.

Q. You wrote to Mr. Hobson giving him a list? A. Mr. Perry is I think another one.

Q. He is now assistant engineer, C. E. Perry? A. I do not know. I think this one they employed from my recommendation.

Q. But he is merely in charge of a party. He is not a division or district engineer, he is qualified for a better position than that? A. Yes I think so.

Q. Did you know Mr. Cecil B. Smith? A. Of British Columbia.

Q. No, at Niagara Falls, Ont., in charge of a power plant? A. I don't think I did.

Q. Do you know Mr. R. W. Leonard? A. Yes, a very good man.

Q. What position could he occupy satisfactorily? A. I think he could take such a position as you are speaking about.

Q. As division engineer? A. Yes.

Q. Do you know Mr. James H. Kennedy, Chief Engineer of the Victoria Navigation Company? A. I have seen him in my office. I know nothing personally about him.

Q. I see a letter from you to Mr. Hobson dated the 26th December, 1902, in which you wrote as follows:

"Dear Sir,—In reply to your letter of the 15th December instant. . . .

"As regards Mr. H. P. Bell, I have lost sight of him for some years, but when he served on my staff years ago, he was a steady able engineer—a bit of a crank—but good on location.

"The following engineers, whose names I give, would, I think, be acceptable to you for the positions I have placed opposite their names:

Hugh Lumsden, Toronto, engineer in charge of survey.
Henry A. F. McLeod, Ottawa, engineer in charge of survey.
Peter S. Archibald, Moncton, engineer in charge of survey.
J. A. O'Dwyer, Moncton, engineer in charge of party.
J. S. V. Caddy, Ottawa, engineer in charge of party.
Ambrose Duffy, Ottawa, engineer in charge of party.
C. E. McNaughton, Coteau du Lac, Que., transitman.
John Brophy, Ottawa, transitman.
James A. Dickey, Amherst, N. S., transitman.
William McCarthy, St. Peters, C. B., transitman.
T. Ruel, Charlottetown, P. E. I., transitman.
A. Wise, Coteau Landing, leveller.
F. R. Wilford, Cardinal, Que., leveller.

With respect to commissariat officers I fancy you will find it difficult to find suitable men to efficiently, faithfully and honestly perform the service. It is a service requiring good judgment, close attention, etc. I know of no person I could recommend for the position.

"I am, yours very truly,

"COLLINGWOOD SCHREIBER,
"Chief Engineer, Railways and Canals."

Q. Peter S. Archibald? A. He is one of our old staff.

Q. Any one of these men would be capable of taking charge of the survey? A. Yes.

Q. J. S. O'Dwyer? A. Down now on the Intercolonial only temporarily.

Q. J. S. V. Caddy? A. He is a good man. Ambrose Duffy for example has had good experience on the C. P. R.

Q. A capable man? A. Yes, a good man.

Q. Then for transitmen, Mr. McNaughton, John Brophy, James A. Dickey, Amherst, N. S., William McCarthy, was that Mr. McCarthy the one you mentioned a moment ago? A. Yes.

Q. T. Ruel? A. Yes, both are now in our employ.

Q. Subsequently you wrote to Mr. Hobson on the 20th February, 1903, forwarding to him the letter and plan you received from Mr. H. P. Bell, of Victoria, B. C., making application for a position and that letter was forwarded and I found it in the files of the Grand Trunk Pacific Railway? A. Yes.

Q. Had you any difficulty in recommending all of these gentlemen for positions? A. No, I knew they would fill the positions satisfactorily.

Q. That was in 1902 and Mr. Bell's in 1903, previous to any appointments being made by the Grand Trunk Pacific? A. That I cannot say. I presume so, but I cannot say.

Q. Do you know when Mr. Stephens was appointed? A. No, I do not know.

Q. He was appointed early in 1903. I think that it is dated February, 1903.

Q. Have you any other applications for the Grand Trunk Pacific or the Grand Trunk, other names of engineers available for this work? A. I think not.

Q. If you had you would have remembered? A. I would remember.

Q. And would at once have given the names? A. Certainly.

Q. This is the list of applications received in Montreal. I saw it in the first days in June when in Montreal. I took a copy of this list of applications for employment received at the Grand Trunk office there. These are not on your list at all? A. It will take a few minutes to read. (Reads list.) Of course, Mr. Armstrong, I know he is with the Bobcaygeon road or was recently their chief engineer.

Q. And is well qualified for the position of assistant engineer? A. Oh yes, I should think so. He was assistant engineer on the C. P. R. in 1878.

Q. On the north shore of Lake Superior? A. Between Lake Superior and Winnipeg.

Q. Mr. Caddy? A. He was employed north of Lake Superior a long time and also between Port Arthur and Winnipeg. Was one of our division engineers and inspecting engineer on the C. P. R. William Crawford, of Nova Scotia, was on the Sault Ste. Marie canal work.

Q. Would he be a good locating engineer? A. Has had a good deal of experience in that. Mr. Henry Carry, if the same I know, he was employed on our staff in British Columbia on the C. P. R., I think it is the same Carry. I am not sure it is Mr. Carry, there are two Carry's. H. A. Carry down in Montreal.

Q. It is the same. A. Ambrose Duffy was employed in connection with some roads in New Brunswick. Drury was employed down in New Brunswick. H. J. McKenzie, he is on our staff in Prince Edward Island on the building of the branch of the P. E. I. Railway. Malhiot, he was employed on our staff in Winnipeg for the C. P. R. Walter and Frank Moberley were both employed on the C. P. R. They understand their work very well.

Q. Where is Walter Moberley now, Mr. Schreiber? A. British Columbia, I think, he was there when I was there last. William McCarthy is out. A. C. McDougall, son of the auditor-general, I stated about him. Perry, I don't know where this one is now. H. G. Stanton, he was employed on our staff on the Grenville Canal. He is away down south somewhere. E. J. Walsh, he has done work, very good. J. J. Collins, he has always been employed on our staff and is a very good assistant.

Q. Now these names you have mentioned, Mr. Schreiber, are Canadians, or British subjects living in Canada. Are they in your opinion qualified for the positions of assistant engineers and upwards on the Grand Trunk Pacific? A. So far as their professional ability and knowledge are concerned, yes.

Q. Do you know Mr. John MacCunn, of Toronto? A. No, I don't.

Q. Do you know Mr. A. D. McRae, of Kingston? A. I have heard of him, but do not know him.

Q. Now there was some evidence given as to a gentleman named James H. Bacon who was taken over from the United States Government employ to Canada for the purpose of hydrographic engineering in connection with terminals at Port Arthur and I think at Port Simpson. It was stated in evidence by Mr. Stephens that it was necessary to obtain a specially qualified man from the States because there was no man in Canada for the purpose? A. I think you can find men here to fill that position.

Q. Can you mention the names of any one in Canada who could fill that position? A. Logan, Rheaume and other men employed on the canals could do that work.

Q. Would there be any difficulty in consequence of the tidal waters? A. No.

Q. That would raise no difficulty? A. No difficulty at all.

Q. So that if there was any desire to appoint a Canadian for that work there would be no difficulty in getting a man? A. None whatever, I think.

Q. I understand that it is part of the education of engineers that they should learn everything in connection with hydrographic engineering? A. I think it is at the present day.

Q. Do you know Mr. D. O. Lewis? A. No.

Q. He also was an applicant. Then from your experience and from your knowledge of the engineering profession in Canada, I understand you to say that you would have no difficulty in obtaining a sufficient number of Canadian engineers to carry on this work? A. I would not anticipate any difficulty.

Q. At the remuneration now being paid? A. At that remuneration no difficulty whatever.

Q. And the work they would do from your experience would be quite satisfactory? A. Quite satisfactory.

Q. As compared with American engineers, as to work they have done in Canada, what is your opinion? A. I think there is very little difference, no difference.

Q. If there is any difference would you state it? A. I think there is no difference.

Q. Then you think that the Canadians are equally as capable as the Americans? A. Quite so.

Q. And that is from your experience, from your long experience in both classes of engineers? A. Yes.

Q. You have had considerable experience with both? A. Yes, I have had Americans and know them.

Q. And Canadians? A. Any number of them.

By Mr. MOWAT: Q. Do you know Mr. Stephens personally? A. I have seen him once.

Q. Did he come to Ottawa to see you? A. I don't know, but I saw him in Ottawa. I am not ready to say he did not come to see me but he came to my office.

Q. To your office? A. Yes.

Q. He had come to consult you about the general work? A. I do not know it was spoken of. There were no observations made.

Q. There were no observations made? A. No.

Q. Although Mr. Stephens has been in the employ of this railroad since 1903 he has not consulted you regarding the work under him or the surveys? A. I do not know that he had any interest to do so.

Q. As a matter of fact he has not done so? A. No.

Q. Has he applied to you as chief government engineer for any information on the question of surveys? A. No I think not. I would say that, so far as he is concerned. The Grand Trunk has asked information.

Q. Can you tell me when? A. Some time ago with regard to plans of our old surveys.

Q. That is before February of last year? A. Yes.

Q. Are the old surveys of the C.P.R. through the mountains and in Northern Canada on file in your department? A. Such as were not burnt when our buildings were burned.

Q. All there are remain under the control of your department? A. Yes.

Q. Those surveys I understand under Sir Sandford Fleming and others have a world wide reputation for accuracy? A. There is no doubt about that I think.

Q. And I am told that their completeness and accuracy are mentioned with approval in the United States, do you know that? A. I know of them.

Q. And you are willing to state your opinion that they have a continental reputation for completeness, these old surveys? A. A great many of them are preliminary surveys and they are complete as far as preliminary surveys go.

By THE COMMISSIONER: Q. Do you remember Mr. James A. Patterson, civil engineer? A. No.

Q. Mr. T. E. Hillman of Hamilton? A. Yes I have heard of him, I don't know him.

Q. A capable man? A. I think he is.

Q. Mr. Hobson speaks very highly of him? A. Yes I know of him, I know his work.

THE COMMISSIONER to Mr. HAYDON: Q. Mr. Haydon, do you wish to ask Mr. Schreiber any questions? A. No. sir.

Mr. HENRY A. F. MCLEOD, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. Henry A. F. McLeod.

By Mr. MOWAT: Q. I am told that you are a civil engineer of some years experience in Canada? A. Yes, sir.

Q. In railroad engineering as well as others? A. Much more in railways than in others.

Q. Were you in the room here when I asked some questions to Mr. Schreiber? A. Yes, sir.

Q. And you have heard what I said with regard to the employment of the principal staff officers on the Grand Trunk Pacific? A. Yes.

Q. Showing that out of the eight of those that might be called chiefs, who have the employment of subordinate officers, seven of them were Americans from the States, did you hear that? A. Yes, sir.

Q. Did you also hear the answer made by Mr. Stephens that he had only employed Americans after he had exhausted every effort to get others here, because he could not get Canadians to do the work. Will you give me your opinion as to that statement? A. I think he could have got engineers in Canada.

Q. Has your practice brought you into contact with other engineers from time to time? A. Yes, sir.

Q. Can you mention to me any engineers in Canada who would be competent to take the position of the chief engineer, for instance, of this road now paid at the rate of $7,500? A. I consider Mr. Hugh Lumsden as a very good man. Mr. Peter Archibald of the Intercolonial Railway. George Keefer of Victoria, Mr. G. A. Mountain who has been recently appointed to the railway commission.

Q. Mr. Schreiber, notwithstanding your presence here gave your name as being a gentleman who would be willing and I suppose without encroaching on your modesty, would take the position of chief engineer? A. I have had a very long experience since 1851. I commenced the first surveys on the Grand Trunk from Kingston to Montreal and ever since then I have been largely engaged in the construction of the Grand Trunk, of the Intercolonial and of the C.P.R. I surveyed thousands of miles for the Pacific Railway. I had 1,100 men in one year under me on my party.

Q. Under you? A. Yes. 100 miles through the Rocky Mountains. I also surveyed from the Skeena River up from Port Simpson up to the Skeena River through the Peace River Pass to Edmonton and from there into Winnipeg, that was preliminary surveys.

Q. Might I ask you if you would have been tempted to take this position had it been offered to you? A. I never asked for it.

Q. I am quite aware of that, taking yourself as one of several other prominent engineers do you think that position, with that salary, would have tempted them to accept? A. These men I spoke of, I should think it would.

Q. And you yourself would have been available if any invitation had been given? A. Yes.

Q. Then it is stated that there are three division engineers who receive $4,000 a year each with their expenses when out. Would that position be considered a prize in the profession? A. Well it is very good.

Q. And district engineers at $3,000? A. Also very good.

Q. Did you hear the names of the engineers mentioned by Mr. Schreiber? A. I did not hear some of them.

Q. Do you know Mr. Bruce? A. Not personally, I have heard of him.

Q. Mr. Mountain of the Canada Atlantic Railway, what is his reputation as an engineer? A. A very good one.

Q. Mr. Walsh? A. I don't know him, but have heard a good deal of him from Mr. Schreiber.

Q. With approval or otherwise? A. With approval.

Q. Mr. Wm. McCarthy? A. I know him.

Q. His reputation is a good one? A. Yes, sir.

Q. Have you not known of Canadian engineers who, to your knowledge, are capable of filling these positions at this salary? A. I have here a list of the engineers of the Canadian Society. I have made a mark opposite their names.

Q. You have here a list of the members of the Canadian Society of Engineers and you have marked their names. Peter S. Archibald? A. Very good.

Q. J. S. Y. Caddy? A. Very good man, long experience.

Q. H. J. Cambie? A. One of the best men, with the longest experience both in location and exploration work, thoroughly good man in every way.

Q. Henry Carry? A. Yes an able man, have known him for years.

Q. W. P. Bell? A. He is a very good man for hydrographical surveys, has been employed for several years by the government on tidal surveys.

Q. Hiram Donkin? A. An excellent man, chief engineer for the Dominion Coal Company, an assistant of mine.

Q. G. R. Fellowes? A. Another assistant of mine.

Q. F. C. Campbell? A. First-class.

Q. Out in Victoria? A. Yes.

Q. With experience? A. Assistant of mine in British Columbia in construction in the mountains.

Q. W. T. Hayes? A. An excellent man, was engineer of the Kootenay Valley Railway, another assistant of mine.

Q. W. T. Jennings? A. An excellent man, none better, both on location, surveys and construction.

Q. A first-class engineer? A. If available quite capable of taking chief engineership.

Q. Keating? A. Another assistant of mine. He is now chief engineer at Toronto. I think he is manager of the street railway in Toronto.

Q. Charles H. Gouvreau? A. A good hydrographic man.

Q. R. W. Leonard? A. An excellent man.

Q. You have not mentioned Mr. Armstrong? A. No better.

Q. James M. McCarthy? A. I am not sure of his Christian name. Have known him for many years.

Q. G. A. Mountain, you have already mentioned him? A. Yes.

Q. Geo. H. Marier? A. An excellent man; he is now in Newfoundland.

Q. Martin? A. A man of long experience, Halifax.

Q. H. N. Rum? A. Another assistant of mine.

Q. Charles D. Sargeant? A. A very good man indeed.

Q. James M. Shanly? A. An excellent young engineer practising in Montreal. A young man of large experience.

Q. Is he a son of our old friend Shanly? A. A nephew.

Q. Henry B. Smith? A. A very good man indeed an assistant of mine in British Columbia in the Rocky Mountains.

Q. Mr. St. George? A. A very good man, in Montreal.

Q. Mr. Tye? A. He is now on the C. P. R.

Q. E. J. Walsh, has been spoken of.

Q. Can I get your opinion on a point that has been discussed by Mr. Schreiber in regard to whether there is not an advantage in having a previous experience of the physical conditions of this country, climate, etc., as compared with those who have only had experience in Virginia, California, and other southern States? A. I think it would be in favour of Canadian engineers who are accustomed to the west of Canada.

Q. It seems that a large part of the duties of these division engineers are connected with the commissariat, getting in provisions, dog teams, toboggans, snow shoes, what is your opinion as to the chances of a man who has had no previous experience of these things as compared with one who has? A. I think it might lead to failure.

Q. It is a business that has got to be learned? A. Yes, requires experience to make best men. To get your provisions in at the proper places and at the proper times is the main difficulty in connection with these surveys.

By The Commissioner: In the evidence at North Bay it was said that Mr. Carry was a hard man to get along with his men? A. I don't know Mr. Carry.

Q. H. Carry? A. I don't know the man.

Q. With reference to obtaining the services of a hydrographic engineer from the States was there any great necessity of doing that, as we have engineers on this side? A. I do not think so.

Q. You have mentioned some gentlemen who are hydrographic engineers? A. Yes, sir, I myself have made extensive surveys on the lakes and rivers. I have also made the survey from Cape Tormentine to Cape Traverse.

Q. That is on tidal waters? A. Yes.

Q. Do you know of other engineers capable of such work? A. I think almost all the engineers I have mentioned are capable of doing that work.

Q. Both inland as well as tidal waters? A. Yes.

Q. So in your opinion there was no necessity in sending for a gentleman on the other side for that work? A. No, sir.

Q. At $300 a month? A. No, I don't think so. There are lots of men in the Public Works Department who are engaged in hydrographic surveying all the time.

A. This gentleman was an employee of the United States Government and obtained three months leave of absence to come over and do this work. Do you know Mr. Bacon at all? A. No, sir.

Q. Know nothing about him? A. No, sir.

Q. You think Canadian engineers are well qualified to do the work he has to do? A. Yes.

Q. Do you know Mr. Thomas E. Hillman? A. I think I know him.

Q. Do you know Mr. James A. Paterson? A. No, sir.

Q. Or A. D. McRae, of Kingston? A. No, sir.

Q. MacCunn, of Toronto? A. No, sir.

Q. These are later men than yourself? A. Yes, sir. My work has been a great deal with the Government of late years, so that I have not met a great many of the younger engineers.

Q. Are Canadian engineers equally as active in performing their duties as American engineers, to your knowledge? A. Quite so.

Q. As energetic and pushing forward the work? A. Yes, sir.

Q. Have you had experience with both? A. I have had a lot of experience. I built a portion of the Grand Trunk in Michigan, from Port Huron to Detroit and I also made surveys—

Q. You think the Canadian engineers equally as energetic and pushing, the Americans call it hustlers, as the American engineers are? A. Quite so.

Q. As to a knowledge of the country through which this Grand Trunk Pacific will pass would Canadian engineers have an advantage? A. A great advantage, they have a great advantage over Americans having been so much in this country and understanding the climatic conditions.

Q. Would climatic influence alter the case with reference to hydrographic engineering. Supposing a hydrographic engineer was down in the southern parts of the States, coming up to Canada would he be as well qualified for the engineering required to be done in regard to terminals on our waterways as one accustomed to it in Canada? A. I do not think he would know very much about ice.

Q. And that is a great thing to contend with? A. Yes, sir.

Q. Now Mr. Bacon's record I have obtained? A. Who is Mr. Bacon.

Q. Mr. James H. Bacon was brought over from the United States for this work at Port Arthur and Port Simpson. He has been at Port Arthur for some months? A. Yes.

Q. His record is:

"James Hayward Bacon (b. 1859) (Harvard Coll. 1882) June 1882 to July 1884 rodman, improvement of Cape Fear River, N. C.; August 1884 to April 1885 assistant engineer and assistant superintendent under Maj. O. H. Ernst, improvement of Mississippi River between Missouri and Ohio Rivers; October 1885 to April 1886, draughtsman, and May to October 1886 division engineer, Dubuque and North Western Railroad; April 26, U. S. assistant engineer under Capt. W. H. Bixby, U. S. A., in charge of survey of Lockwood's Folly River; May 1886 to April 1892 U. S. assistant engineer of the Florida district under Capt. W. M. Black and Maj. J. C. Malory; had charge of the following surveys in Florida; Manatee River, Charlotte Harbour, Tampa Bay, Sarasota Bay, St. Johns River, St. Johns Bar, Ocklawaha River; also employed in the various duties incident to construction work in the improvement work, St. Johns River by County of Duval, Fla., which consisted in the construction of six dykes of stone, aggregating 5 miles of length, and dredging of about 700,000 cu. yards of material from the river channels; March to December 1895 U. S. superintendent of dredging in Charlotte Harbour under Maj. T. H. Handbury; February to April 1896 engineer in charge of the construction of concerete bicycle track at Panama Park, Flo.; March 1896 to date, except from July to September 1898 U. S. assistant engineer in the Florida district under Lt.-Col. W. H. H. Benyaurd and Capt. C. H. McKinstry, on designing gun and mortar batteries at Key West, Fla., and at the entrance of Tampa Bay; two batteries of concrete and earthwork were built under his direction; also in charge of the following surveys in Florida; St. Lucie River. St. Johns Bar, Lower and Upper St. Johns River, Cumberland Sound Bar, Biacayne Bay; also employed in the various duties incident to improvement of rivers and harbours in Florida; July to September 1898 first lieutenant in the Third Regiment of Engineers, U. S. V.; now engaged

as U. S. assistant engineer in the Eastern District of Florida; elected a member of the American Society of Civil Engineers January 5, 1900, and his address in the lists of the society since then has been U. S. assistant engineer, office Fernandino, Florida."

Q. This is Mr. Bacon's previous record, what would you say as to his ability for hydrographic work at Port Arthur or Port Simpson. Would he be any more capable or as capable as a Canadian? A. I do not think he would be any more capable, climatic conditions would be against him. I think there are many engineers in Canada who would have done quite as well.

Q. You would go as far as to say that all engineers understand hydrography as well? A. Yes. I also wish to mention the name of Mr. Guy Dunn, the chief engineer of the Kootenay Valley Railway. He would make a good district engineer.

Mr. THOMAS C. KEEFER, being sworn:

By THE COMMISSIONER: What is your name in full? A. Thomas C. Keefer.

By Mr. MOWAT: Q. You have practised for many years as civil engineer in Canada? A. Yes, sir.

Q. In February, 1903, Mr. John R. Stephens, then engineer on the Topeka Atchison and Santa Fè Railway was appointed assistant chief engineer of the Grand Trunk Pacific and out of the eight chief staff positions he appointed seven Americans, who worked under him there and who knew him in the States. When asked about that he said he only appointed them after "he had exhausted every effort to get others in Canada and because he could not get Canadians to do it." If so, would you say as to what you think as to the reasonableness of that? A. Well, it would depend whether when these men where engaged the others were available.

Q. I understand the answer goes so far as to say there were none else whether engaged or not? A. I think that would not be correct at all, from my general knowledge of engineers.

Q. He himself gets a salary of $7,500, the division engineers $4,000, district engineers $3,000 and a harbour engineer $3,600. Is that a rate of remuneration sufficient to tempt engineers in Canada, in your knowledge? A. That is much higher than the average rates of engineers in Canada.

Q. I have not seen you before to ask if you have any names in your mind, but I would ask you to give an opinion to his Honour as to whether any of our Canadian engineers would be reliable and competent to be chief engineers of this railway had the company so desired? A. I heard Mr. McLeod's evidence with regard to the list from the Canadian engineers. I know quite a number of them, those that I know I think are competent men.

Q. To take the position of chief engineer? A. Well, some of them. I would not say that they are all competent to be chief engineer.

Q. But some of them? A. I think Mr. Lumsden and others whose names I forget.

Q. For division engineers? A. There are many competent for that.

Q. And district engineers what I understand is men who visit the different parties and go out on the line? A. Oh, yes, I think there are a good many competent engineers who could fill any position under that of chief.

Q. The engineers in charge of survey parties, what are called assistant engineers are paid at the rate of $175 per month and expenses in the field, would that be considered good remuneration in Canada? A. Yes, I think more than our engineers in charge of parties get. It is no more than it is worth as the employment is temporary.

Q. With regard to the relative amount of experience which can be brought to surveying in this country would Canadian engineers accustomed

to the physical conditions of this country have more advantage than those employed in more southern countries all their lives, what is your opinion? A. Well, that would be a question of climate. The conditions in other ways would be similar.

Q. With ice of course and transportation? A. On the Pacific coast of course it would be very different from the Atlantic, and as regards Port Arthur there the ice question is a serious one, but differs very much from Port Simpson as the one is a lake terminal and the other is tide water.

Q. Would Canadian engineers who have been doing location work in Canada have any advantage over those who have not been born in Canada? A. They would certainly as to their knowledge of local conditions.

Mr. HENRY HOLGATE, being sworn:

By Mr. MOWAT: Mr. Holgate you have been in the room while Mr. McLeod, Mr. Schreiber and Mr. Keefer have been examined. You are aware that part of the scope of this Commission is to ascertain the availability of Canadian engineers. You have learned that seven out of eight of the principal staff officers are from the United States and you have heard of Mr. Stephens under oath stating that he had exhausted every effort to get others here and engaged Americans because he could not get Canadians to do it. You, I understand, have had many years experience as an engineer and been familiar with the work of Canadian practitioners and I desire to ask your opinion as to the accuracy of that statement, or its reasonableness? A. I do not think that very full investigation or inquiry could have been made to ascertain the engineers who were available here.

By THE COMMISSIONER: Could not have been made by Mr. Stephens? A. Yes, could not have been made by Mr. Stephens, as such an enquiry would not permit of his making such a statement as that is. He would have found men available and competent I have no doubt from my knowledge of the situation in regard to Canadian engineers.

By Mr. MOWAT: Q. You are at present practising in Montreal, that is your headquarters? A. Yes, sir.

Q. Are you a member of the Canadian Society of Civil Engineers? A. Yes, sir.

Q. And no doubt acquainted with its members there? A. Fairly so.

Q. Do you know of Mr. Stephens ever having made enquiry of members there as to the possibility of filling these positions with Canadian engineers? A. I cannot say that I do, nothing was ever said to me by Mr. Stephens.

Q. Supposing that you had come from the United States like Mr. Stephens and had desired to fill these several positions with Canadian engineers of experience what would your actions have been? A. Having that desire I would have familiarized myself with the situation and I think all of us would have been glad to have assisted him.

Q. You think that the chief engineers in Canada would have come to his assistance? A. Yes I am sure he would have got plenty of hearty assistance from any of us. I think that should have been his natural procedure after coming to Canada and desiring to use Canadian engineers to find out whether Canadian engineers could have been found.

Q. You, Mr. Holgate, have an extensive private practice? A. Yes, we have a large private practice.

Q. Have you any knowledge as an engineer of men who are occupying positions as railway engineers? A. Oh, yes, I have been a railway engineer myself.

Q. Do you mean that you are engaged in railway work? A. We do railway work, too.

Q. I ask you this provided that the salary given here by the Grand Trunk Pacific is $7,500 for assistant chief engineer, $4,000 for division,

$3,000 for district engineers, would these be considered tempting prizes in the profession for competent men? A. I do, all except the position of chief engineer.

Q. You do not think that unreasonable? A. Certainly I do not think that is unreasonable. I don't think any of them are.

Q. Considering the current rates? A. I think that barring the position of chief engineer we would have no difficulty at all in filling them.

Q. Would the idea that this work is a great national railway have any effect of making these positions more tempting? A. I think that an engineer would rather be attached to a large corporation.

Q. That would have made easy the situation to Mr. Stephens if he had made sincere enquiries? A. I think that would have helped him considerably.

Q. Then are there Canadian engineers to your knowledge who are capable of filling these positions, if so can you mention to me their names. For the position of assistant chief engineer? A. Yes, or division engineer, there are a large number of men in Canada.

Q. Have you heard the names mentioned by Mr. McLeod and Mr. Schreiber? A. Those mentioned by Mr. Schreiber I know a great many of them and I quite concur in what he said. There are two or three he did not know that were mentioned to me I happen to know.

Q. Do you know Mr. Cecil B. Smith? A. Very well, indeed.

Q. What position on the railway would he be capable of filling? A. Any position barring the chief.

Q. Are there others that have occurred to you? A. Such as James A. Paterson.

Q. What has his experience been? A. He was really a pupil of the late John C. Bailey, who was understood to be one of the best, and I understand Mr. Paterson is an excellent engineer.

Q. Mr. T. E. Hillman? A. I have heard Mr. Hillman's name mentioned.

Q. One of his works was the building of the St. Clair tunnel? A. Yes.

Q. And increased his reputation on that account? A. Yes.

Q. I think that amongst the names of those who applied to the Grand Trunk Pacific for employment that of Mr. Thomas E. Hillman does not require any comment? A. I don't know what comment I could make.

Q. Would you be surprised to know that Mr. Hillman had been refused? A. I would be surprised that they were able to find a better man than Mr. Hillman.

By The Commissioner: For what position would Mr. Hillman be qualified? A. Mr. Hillman has had charge of very large works.

Q. From division engineer down? A. Yes, sir.

Q. Well qualified? A. Very little question about that.

Q. And Mr. Paterson's qualifications? A. He and Mr. Hillman would be equally qualified, they are high-class men.

Q. Do you know Mr. John MacCunn, of Toronto? A. I do not.

Q. Mr. Leonard? A. Yes.

Q. What do you say as to his qualifications? A. He is a very capable man.

Q. And Mr. Armstrong? A. I do not know Mr. Armstrong, except the one of Bobcaygeon Railway.

Q. He is another man, J. H. Armstrong, of St. Catharines, do you know him? A. No, I do not.

Q. If you look over the list, Mr. Holgate, to see exactly, you may just glance at it, H. Carry, of Vancouver, he is a young man. It was said Mr. Carry had a pretty hard time keeping his men together. I suppose it was for being strict with his party? A. Rather a good quality.

Q. Mr. R. T. Gough? A. He is a man of about ten years experience and he would answer very well.

Q. A younger man? A. But a very capable fellow.

Q. Mr. Hamel, of Ottawa? A. He is an experienced man.

Q. A good man? A. Yes.

Q. A man to take charge of a party? A. Yes, I understand he is a responsible man.

Q. I am speaking of men in charge of parties of twenty men or so? A. Quite capable, thoroughly capable.

Q. Some here are younger men, is there any objection to younger men? A. You should see American younger men, I have had some of them.

Q. Here are the two Moberley's they are both men of lang experience and capable men? A. Oh, yes.

Q. Here is James A. Paterson? A. Mr. Paterson is a very able man.

Q. Mr. Cecil B. Smith, Mr. Szlapka? A. Yes.

Q. Of course there are men on that list who have not applied.

By Mr. MOWAT: Q. I suppose that in your profession as in any other profession, there is a certain amount of pride that prevents men looking for a job, some men whose natural modesty would prevent them from making an application. Engineers are naturally too modest? A. We will not quarrel with that statement, but there are many who would have wanted to fill a position on the Grand Trunk Pacific had an opportunity offered.

Q. There is Mr. George Garden working with you now and there is Mr. Robert Hunter who would like to get work in that way.

By THE COMMISSIONER: Do you know Mr. George Garden's brother? A. W. H. Garden?

Q. Yes. A. They are both capable men.

Q. Robert E. Hunter? A. One of the best men for railway work in Canada.

Q. For location parties? A. Yes.

Q. Where's his home? A. In Montreal.

Q. It might be that probably he would not have wished for this work, $175 per month and expenses? A. Probably $3,000.

Q. District engineer? A. Yes.

Q. Qualified for that? A. Yes.

By Mr. MOWAT: Do you know these men I have indicated here? A. No, sir, just the last two and Mr. Hillman.

Q. It has been said by a well known engineer in the profession speaking from Montreal that he was impressed that no Canadian need apply for a position in this railway, can you say anything definite as to that? A. I never heard that expression.

By THE COMMISSIONER: How long has your experience been as a civil engineer? A. Since 1878.

Q. You heard the evidence of both Mr. Schreiber and Mr. McLeod as to Mr. Bacon as hydrographic engineer and as to the capabilities of Canadian engineers for such work, what do you say to that? A. I do not think there is any question about that. We have at present in the Government Canals Department very capable men. I have in my employ one very capable man who would have done just as successfully as Bacon without disparaging Mr. Bacon.

Q. He is equally as capable? A. I should say so. I have heard you read Mr. Bacon's record and the records of our own Canadian engineers are equally as good.

Q. That is in connection with our own Canadian waters? A. With our own Canadian waters.

Q. Looking at Mr. Bacon's experience and considering Canadian waters which would you prefer, Mr. Bacon or a Canadian engineer for Canadian

waters? A. Well, I would like to say this that a man of Mr. Bacon's intelligence to have had that experience I think it is only fair to say that coming to a northern climate he would grasp conditions here and meet them after consulting with Canadian engineers as to local conditions. As to general engineering I think the American engineers would grasp conditions after obtaining information as to the movement of ice, etc, and generally speaking I think a United States hydrographical engineer would be able to do satisfactory work in Canada.

Q. But in your opinion we have equally as capable engineers for that purpose here? A. Quite so, I have no doubt about it.

Q. We find as you state that Mr. Bacon did enquire from the Canadian engineers as to currents. I think he applied to Mr. Stuart at Port Arthur who has charge of Port Arthur up and got assistance from him? A. Oh, yes, that would be natural.

Q. Have you in your mind any names of qualified engineers who would have been available for this work further than those you mentioned? A. No, I think that covers what I have here, I have no other names, but these men are highly competent men, I do not know if they are available.

Q. Then from what you have stated you are of the same opinion as Mr. Schreiber and Mr. McLeod that this work now being carried on by the Grand Trunk Pacific could have been conducted by Canadian engineers without the assistance of American engineers? A. Most emphatically.

Q. And that there are a sufficient number of engineers at the remuneration mentioned available for that work? A. Oh, yes.

Q. There is no doubt about that.

Mr. MOWAT: I had hoped to bring before your Honour, Col. Anderson, who is also well versed in hydrography, and also W. Bell Dawson, but they are out of town and one or two more. Mr. William McCarthy has been recently sent away on a party by the Government. I would like, your Honour, not to formally adjourn this until an hour from now.

THE COMMISSIONER: I will hear any you have at three o'clock.

Mr. MOWAT: It may be that I cannot promise that anybody may come.

THE COMMISSIONER: At any rate I will be ready at three o'clock at the Department of Labour.

Department of Labour, Ottawa, 2nd July, 1904.
3 P.M.

The Commission resumes.

Mr. AMBROSE DUFFY, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. Ambrose Duffy.

By Mr. MOWAT: Q. Mr. Duffy I understand you are an engineer of Scotch training and have been practising your profession in Ottawa for some 23 years? A. Yes.

Q. Has your training been connected with railway work? A. Principally.

Q. Principally railway work? A. Yes, sir.

Q. All kinds location, construction, mountain? A. Yes.

Q. I am told that you announced yourself as available to the Grand Trunk Pacific? A. I made application.

Q. Did you furnish the company with your testimonials and record? A. Furnished them with a copy of my testimonials. There is an answer to my application from Mr. Joseph Hobson on the 30th December, 1902:

"Dear Sir,—I am just in receipt of yours of the 29th instant applying for a position as chief of a party on the preliminary and location surveys of

the proposed Grand Trunk and Pacific Railway. Arrangements are not far enough yet for the commencement of the surveys, but when they are I will write you again.

"Yours truly, "JOSEPH HOBSON, Chief Engineer."

Q. Did Mr. Hobson write you again? A. I received no further communication.

Q. Then your application only went so far as to be engineer in charge of a party? A. That is all.

Q. For which you were competent? A. Fully competent, I had filled the same position under the government.

Q. On other railways? A. Yes.

Q. What railways? A. I made the preliminary surveys of the Canada Atlantic Railway and the construction, and the preliminary survey between Valleyfield and Rouses' Point and Valleyfield and St. John's and again from Casselman into Ottawa and had charge of the Ottawa section.

Q. Some of that was hilly country? A. Roughish country.

Q. Similar in a great extent to what the new railway will go through? A. No not as rough a country.

Q. One would think that an engineer of your attainments would hardly have been satisfied with chief of a party only, what have you to say as to that? A. My reason for it was that I thought the Grand Trunk Railway would have sufficient old engineers of their own whom they would place in the higher positions and of course I would look for a better position on construction.

Q. You would be willing to undertake the onerous work of location hoping to get a permanent position later on? A. Yes.

Q. Has the practice of your profession brought you in contact with the engineers of Canada? A. Principally Mr. Schreiber and Mr. Keefer in practice in this city: also Mr. Walter Shanly, Mr. Vernon Smith and there is a letter of Mr. Shanly's in which he says:

"Having known your work I do not hesitate to say that had I any railway work now on hand I would gladly employ you and in saying this I do not know of any better way than I can testify."

And Mr. Schreiber says this "You are thoroughly conversant with railway construction and the building of roads."

Q. Mr. Stephens, the present assistant chief engineer, swore in this enquiry that he did not employ any Americans until he had exhausted every effort to get others here in Canada and could not get Canadians to do it, what is your opinion as an engineer familiar with the engineering profession? A. I do not think that Mr. Stephens would have had the slightest difficulty in getting capable engineers, if not more capable than in the United States for the work of location and preliminary work, in Canada.

Q. In your opinion is there any difference in the relative ability of engineers who are familiar with the physical conditions of Canada, topographical conditions, and those of the United States, including the Southern States, in carrying on this work? A. I think our engineers are more fitted for our country than Americans would be from the American States. Taking into consideration the country, the problem of provisions and everything else that a chief engineer of a survey party would have to look out for would be more familiar with these.

Q. The conditions of transportation and supplies are different from those in the southern part of the continent? A. Yes, altogether.

Q. Do you go so far as to say that one would have to learn those conditions before being considered an adept? A. He would have to learn them, certainly.

Q. You know Mr. H. A. F. McLeod? A. Yes, that is of this city.

Q. What about his standing? A. About the top of the profession.

Q. This morning while this enquiry was going on Mr. McLeod produced this list of members of the Canadian Society of Civil Engineers and beside those he thought fitted for the several positions he has placed a pencil mark, please take a look at the list and give us your opinion.

By THE COMMISSIONER: Q. You are a member of that society yourself? A. Yes I am. (Reads from list.) Mr. Robert Bruce, he was employed on the Canada Atlantic, I don't know where he is employed now.

Mr. MOWAT: Q. Please mention the names of those you do know and the secretary will take them down. A. Mr. Cambie, Mr. H. C. Carry, Bell Dawson, Mr. Hiram Donkin, I know Mr. Donkin personally, and Mr. G. R. Fellowes; Mr. F. C. Gamble, Mr. Wm. Dale Harris, Mr. Jennings, Mr. Leonard, I do not know at all; Mr. Mountain, Mr. McCarthy, Mr. Lumsden, Mr. Martin Murphy, I do not know him personally but I know him by reputation; Mr. Ruttan, Mr. Sargent, Mr. Schreiber, Mr. Shanly, Mr. C. B. Smith, Mr. W. F. Tye, I do not know him at all. Mr. E. J. Walsh, I know him.

Q. Does your familiarity with the profession and with the remuneration that is given to engineers by railways enable you to form an opinion as to whether salaries of $7,500 for chief, $4,000 for division, $3,000 for district engineers would be tempting to engineers in Canada in 1903-04, no matter what their present employment was? A. I think they would.

Q. That is higher than the usual income? A. Yes, sir.

By THE COMMISSIONER: Q. What position were you asking for? A. Engineer in charge of a party.

Q. Do you know what salary they were paid? A. No.

Q. From $150 to $175 that is what you understood? A. Yes. I did not think of salary, in fact at the time I did not think that the Grand Trunk would have done the survey themselves. I thought Mr. Schreiber would have been placed in charge and went to see Mr. Schreiber about it and he told me that Mr. Hobson had written to him and I sent my name down to him.

Q. But they have not employed many Canadians yet? A. No.

Q. So you are not alone? A. No.

Montreal, Que., 4th July, 1904.
10 a.m. Court House.

The COMMISSION resumes:

Present: HIS HONOUR JUDGE WINCHESTER, COMMISSIONER:

Present: H. M. MOWAT, K.C., representing the Government.

Present: Messrs. BECKETT and BIGGAR, K.C., representing the Grand Trunk Pacific.

Mr. JAMES N. SHANLY being sworn:

By Mr. MOWAT: You are a practising civil engineer I understand? A. Yes, Sir.

Q. How many years? A. 25 years.

Q. In Canada? A. Yes.

Q. Now practising in Montreal, headquarters I mean? A. Yes, Sir.

Q. A son of? A. Of Coote Shanly.

Q. Has your practice been in connection with railways as well as other works? A. Well chiefly railway work.

Q. Including location? A. Yes.

Q. As well as construction? A. Yes.

Q. Do I understand that your work has brought you in contact with the engineers in Canada? A. Yes.

Q. Have you been yourself in charge of parties and as chief locating engineer at any time? A. Yes.

Q. Would you mention some of your works? A. At the present time I am chief engineer of the Canada Eastern Railway of New Brunswick, previous to that I was chief engineer of the construction of the Great Northern railway of Canada and also at one time engineer for the Central Canadian Railway and for the Atlantic and Lake Superior Railway.

Q. Now I have asked you to come here, Mr. Shanly, for the purpose of getting your opinion as an engineer, as one familiar with the practice and the members of the profession. It has been shown in this Commission that is now proceeding, that out of eight principal staff officers in the employ of the Grand Trunk Pacific line seven of them are American citizens whose practice has hitherto been in the United States and Mr. J. R. Stephens was asked last month, at a previous sitting of the Commission:—

"Q. Did you personally invite any person from the United States to come over? "A. Yes after I had exhausted every effort to get others here.

Q. Because you could not get Canadians to do it? A. Yes."

Q. What is your opinion as to the accuracy or reasonableness of these answers? A. I do not know what efforts Mr. Stephens made but in my opinion he could have got all the engineers he wanted here in Canada.

Q. Do you mean for the eight positions I have spoken of one chief, three division, three district and one harbour engineer? A. I think he could get them in Canada.

Q. The salary attached to the assistant chief engineership is $7,500, each division engineer $4,000, harbour engineer $3,600 and district engineers $3,000, what is your opinion as to the monetary advantage of these positions, would in your opinion these salaries be considered as tempting offers or prizes in your profession? A. I think that the salaries are rather higher than the average salaries paid in Canada.

Q. Have you got any opinion as to whether this company, on a great national transcontinental line, positions as engineer on the surveying staff would not offer an advantage over another line? A. Well the duration of employment is apt to be longer and the prospects of steady employment better in a large concern than in a smaller one.

Q. You are, of course, a member of the Canadian Society of Civil Engineers? A. Yes.

Q. Their headquarters are in Montreal? A. Yes.

Q. Do you know, as a member of that society whether the chief members were consulted by Mr. Stephens in his exhaustive efforts to get Canadian Engineers? A. I cannot say. I never heard of it myself, he may have done so.

Q. Can you mention from your experience of engineers any practising now or last year in Canada who would have been fitted or available for the position of assistant chief engineer now occupied by Mr. Stephens. I am quite aware that you would not know what was in the mind of these people and whether they would accept or not, but I wish you to give me your opinion as to their ability and reputation? A. It is pretty hard to say; there are a number of men in Canada who are mentally fitted for such a position, whether they would be available or not I could not say.

Q. I do not think that it would be regarded by them as indelicate if you would mention their names? A. G. A. Massey would be one.

By the COMMISSIONER: Where does he reside? A. He lives in Montreal, he is at present chief engineer for the Newfoundland Railway (Mr.

Reid's) Mr. Doucet; Mr. G. A. Mountain of Ottawa; Mr. R. W. Leonard of St. Catharines, I think Mr. W. T. Jennings of Toronto and a number of others I don't know.

Q. Mr. H. D. Lumsden? A. Yes

Q. Then among the others for the positions of division, harbour and district engineers? A. It is pretty hard to recollect a list of names.

Q. I show you here a list of applicants or persons who let it be known that they were available, will you kindly look over that and tell me if you know these gentlemen? A. (Looking at list) Yes, I know some of them.

Q. What is your opinion as to their capacity and achievements? A. (Reading) Mr. H. W. D. Armstrong, J. St. V. Caddy, C. E. Cartwright, Wm. Crawford, H. Carry, E. H. Drury, F. A. Hibbert, D. B. McConnell, Walter Moberley, Frank Moberley, Wm. McCarthy and a number of other names there.

Q. With whom you are not so familiar? A. Yes.

Q. You have mentioned to me a list of 18 gentlemen, estimating that there are one hundred civil engineers in Canada who might be considered to be at the top of their profession, are these gentlemen included in that hundred? A. Yes, I think they would be.

Q. Do you know Mr. P. S. Archibald? A. I know him by reputation, not personally.

Q. What is his reputation? A. A very good reputation.

Q. J. T. Armour? A. Yes.

Q. J. H. Armstrong? A. Yes.

Q. J. A. Helmer? A. Yes, I think I know him.

Q. Mr. J. A. U. Beaudry? A. I know Mr. Beaudry.

Q. Robert H. N. Bruce? A. Yes, I know Bruce.

Q. Can you make any comment to me on the names gives by Mr. McLeod in Ottawa? A. Mr. Bruce would be a first class man to take charge of a locating party.

Q. Robert Bruce? A. I do not know so much about him. He is holding a good position at present.

Q. Mr. F. C. Basteed? A. He is a good man.

Q. W. Bell Dawson? A. I know Mr. Dawson, I hardly think he would be available.

Q. What is his reputation as a hydrographic engineer? A. He stands very high.

Q. Hiram Donkin? A. A very good man.

Q. Ambrose Duffy? A. I think he is a man who has had a great deal of experience, I do not know him personally.

Q. C. F. K. Diblee? A. Do not know him.

Q. H. G. Dimsdale? A. I don't know him.

Q. Fellowes? A. Had a great deal of experience.

Q. Z. Fowler? A. Is a very good man.

Q. R. Fowler? A. Don't know him.

Q. The Garden's three brothers? A. I know G. H. Garden.

Q. What is his standing in the profession? A. First class man both on location and construction.

Q. W. J. Graham? A. I don't know him.

Q. J. H. Gray? A. Don't know him.

Q. M. Hanson Greene? A. Yes, I know him.

Q. Lives in Montreal? A. Yes.

Q. T. E. Hillman of Hamilton? A. Don't know him.

Q. F. A. Hibbert? A. I mentioned him.

Q. A. E. Hill? A. Don't know him.
Q. J. A. Hesketh? A. Don't know him.
Q. H. Irving? A. Yes.
Q. Employed in Montreal? A. By C. P. R.
Q. Don't know about availability? A. I should think he was available.
Q. J. E. Jorgensen? A. Don't know him.
Q. John Kennedy? A. Don't know him.
Q. C. H. Gauvreau? A. I know him.
Q. What is his reputation? A. First class man, I cannot say what his experience has been on location.
Q. D. O. Lewis? A. Don't know him.
Q. Z. Malihiot? A. Well I don't know him personally but by reputation.
Q. What is that? A. A man who has had a very large experience on railway work, a division engineer on the C. P. R. during construction.
Q. Mr. Charles P. Metcalfe? A. I don't know him.
Q. I understand he is in Montreal? A. I believe he is.
Q. Know his reputation? A. No, I do not.
Q. C. A. Mitchell? A. I do not think I know him.
Q. Martin Murphy? A. Martin Murphy is not available, he is well on in years.
Q. James A. Paterson? A. I know Paterson.
Q. Do you know what his work is and reputation? A. His reputation is very good, I worked under him on the Great Northern when I was there.
Q. S. R. Poulin? A. Poulin is good on location.
Q. A. F. Proctor? A. Don't know him.
Q. Cecil B. Smith? A. Yes.
Q. What are his rank and standing? A. He stands very high in the profession, a man of considerable experience, a thoroughly good man I believe.
Q. John Woodman? A. Don't know him.
Q. Do you know Abbott True? A. No.
Q. O. Simard? A. No.
Q. R. A. Hazleton? A. Only by reputation.
Q. What is that? A. He has been connected with railways for a great many years. Have not heard of him of late years but a number of years ago was on the Ontario and Quebec now the C. P. R., in charge of work there.
Q. Now without being personal I might say that Mr. Collingwood Schreiber mentioned your name as an engineer who would be capable of taking the position of assistant chief engineer, could you not have been available? A. Pretty hard to say.
Q. I have no doubt that you would say you were capable but I will not press you on that point.
By Mr. BIGGAR: You do not know anything of the whereabouts of most of these men? A. Not of a majority of them.
Q. You have not practised with many of them personally? A. I have worked with some of them.
Q. Mr. Hazleton, how old a man is he? A. A man somewhere between 45 and 50.
Q. He must have been very young when on the O. & Q. A. That is about 20 years ago.
Q. What position did he hold? A. I cannot say.
Q. You have not heard of him subsequently? A. No.

Q. Mr. C. B. Smith, do you know that he was offered a position at $4,000 and would not accept?

The COMMISSIONER: The evidence does not show that, Mr. Stephens did not state so.

Mr. BIGGAR: He was offered a position on the Grand Trunk and refused it, did you know that? A. I knew nothing about it.

Q. I think you referred to Mr. C. A. Mitchell? A. C. H. Mitchell.

Q. Where is he from? A. He is now at Niagara Falls.

Q. There are two Mitchell's on the road now, C. A. and W. H. Mitchell.

The COMMISSIONER: Q. Where is C. A. Mitchell?

Mr. BIGGAR: Just engaged.

The COMMISSIONER:—I guess C. A. and C. H. Mitchell is the one and same person.

Mr. BIGGAR: Q. You referred to Mr. C. H. Gauvreau? A. I cannot say.

Q. You referred to Mr. Gray? A. I don't know him.

Q. You do not know he was on the Grand Trunk Pacific and left work? A. I don't know Mr. Gray at all.

Q. You also mentioned Mr. Bruce? A. Yes.

Q. You are aware that he is engaged on the——A. Bobcaygeon Railway.

Q. Mr. Busteed is engineer on the C. P. R.? A. Yes.

Q. Mr. Armstrong preceded Mr. Bruce as chief engineer on the Lindsay and Bobcaygeon road? A. Possibly so.

Q. How long was he engaged there? A. I cannot say.

Q. Has he not been chief engineer since the construction of that road was begun? A. No, Sir.

Q. Mr. Lumsden of course we know, do you know anything of the fact that he was offered employment on this road by Mr. Hays? A. Yes.

Mr. MOWAT: I am instructed that it is not so.

Mr. BIGGAR: My learned friend may be instructed that it is not so, perhaps he is misinformed.

Mr. MOWAT: I am only suggesting that, evidence will be taken on it.

By Mr. BIGGAR: Q. Mr. Jennings is engaged in Toronto? A. Is in general practice in Toronto.

Q. Has he not a city engagement? A. I have not heard of any.

Q. Is he not engaged with the Toronto Street Railway? A. I don't know.

Q. Mr. Mountain you know, he has been trying to get another position? A. He has been appointed in the last few days to the railway commission.

Q. He has been chief engineer on the Canadian Atlantic up to this time? A. Yes.

Q. Long before this? A. Chief engineer for a number of years.

Q. Mr. Doucet? A. He is chief engineer of the Quebec and Lake St. John Railway.

Q. Has his name not been mentioned in connection with the Government superintendence to Winnipeg? A. I cannot say whether any of these men are available or not.

Q. Did you ever hear of vacancies on the C. P. R., that were open for some time? A. No, I have not.

Q. You are not aware that such positions have been vacant? A. None that I knew of, there might have been.

Q. How many of these men do you know personally, how many can you speak of from personal experience? A. Of these names he mentioned?

Q. Of all these names? A. I cannot say how many of them are on that list, the majority I know by reputation.

Q. How many do you know from actual experience from having worked with them or worked under them, you can take the list and see? A. There are about 10 or 11 of them I have worked with.

Q. Well of the 10 or 11 what positions would they be capable of filling? A. Some of them I think, would be capable of filling the position of division engineer, the whole of them could take charge of location parties.

Q. Who would be competent to fill the position of division engineer of those you know personally? A. Zach Fowler is the name of one.

Q. Where is he now? A. I think he is in Ottawa.

Q. Engaged with any company now? A. I cannot say.

Q. How long is it since you had personal knowledge and experience of his work? A. About 10 or 12 years, I was connected with him on the Bay de Chaleurs Railway.

Q. The Bay de Chaleurs Railway ten or twelve years ago? A. That is all.

Q. How old is he? A. Probably fifty.

Q. What experience before working on the Bay de Chaleurs, any? A. Oh yes, he had been working for the Quebec Government at one time on the Q. M. & O. now the C. P. R.

Q. What position did he occupy on the Bay de Chaleurs? A. He was chief engineer for construction.

Q. How long? A. On a 20 mile section.

Q. You do not know of any work he has done since? A. His last work was the Maritime Railway of Nova Scotia, he is chief engineer.

Q. How long of line? A. 80 miles.

Q. No experience in the west? A. I cannot say.

Q. Mountain or prairie, no work in west? A. I cannot say whether he was ever that way, I run across these men for a short time and do not see them again for many years.

Q. You say there are others there, perhaps you can mention one or two? A. G. H. Garden.

Q. Where is he? A. I don't know where he is at present.

Q. When did you work with him last? A. A number of years ago, perhaps 14 or 15 years.

Q. Where was that? A. Out on the Labelle branch property of the Montreal and Western Railway.

Q. Is that the extent of your experience with him? A. Yes, the only personal experience I have had with him.

Q. Do you know what he has been doing for the last 10 or 15 years? A. He has been out in the west for a number of years as chief engineer of the Alberta Railway and Coal Company and then came here and went back to the C. P. R. as chief engineer for the Montreal and Western.

Q. What is he at now? A. I cannot say, he was taken sick a year or so ago and gave up his position.

Q. You do not know whether he is in active practice or not? A. He has started again I believe.

Q. This was a year or two ago? A. When he was with the C. P. R.

Q. When was he taken ill? A. I suppose it must have been some time last fall.

Q. At the time he was taken ill he was on the C. P. R.? A. Yes.

Q. Do you know whether he is available? A. I cannot say.

Q. How about the next one? A. You mean capable of being division engineer? A. Yes.

Mr. MOWAT: Before that question is answered I may say that my learned friend might give himself no concern as to availability. I did not ask about that point. I did not want to impress that on any of the witnesses, I simply called them to give evidence as to capacity.

Mr. SHANLY: Mr. R. W. Leonard of St. Catharines, he is somewhere in the west.

Mr. BIGGAR: When I say he was offered a position and refused it I suppose that will account for his not being on? A. I dare say.

Q. These are all you can speak of personally? A. These are all.

By the COMMISSIONER: Is it unusual for men to leave one railway and go to another to improve their position? A. Not at all.

Q. That is the usual practice? A. Yes.

Q. In fact we find that to be the case with the American engineers, they leave the railways over there and come here? A. Exactly so.

Q. Is it usual for gentlemen of high ability, engineers, to apply for positions, I mean for chief engineer for instance? A. Well I do not think these gentlemen do.

Q. Not usual? A. No, the company would apply to gentlemen of high ability to take charge. Any company will select its own engineer.

Q. Were you applied to to take a position as chief engineer on this line? A. No.

Q. Would you have considered the question if you had been applied to? A. Yes, I think I would.

Q. You were in a position to do so? A. Always in a position to make a change.

Q. You have had in your practice charge at various times of engineers from both Canada and the United States have you? A. Yes, had some from the United States but the majority were, of course, from Canada.

Q. What do you say from your experience as to their comparative ability? A. I cannot say that I ever found any great difference.

Q. Was there no difference on this list? A. That is a very hard thing to say because the number of engineers I have come personally in contact with is limited and it is pretty difficult to form a general opinion from that. Among the men I have dealt with I generally found no difference with Canadians.

Q. You think Canadian engineers equally as available as Americans? A. Certainly I do.

Q. From your knowledge of the engineers of Canada, could you have obtained a sufficient number of Canadian engineers for this work? A. Yes, I believe I could.

Q. Do engineers as a rule study the question of hydrographic work? A. Well hydrographic work is a speciality.

Q. Have we such engineers in Canada? A. Yes, we have some.

Q. Can you mention the names of any? A. Mr. G. Bell Dawson, Mr. Kennedy of the harbour works here, Mr. Sproule and a number of others I cannot recollect.

Q. Cannot you recollect the names of others? A. I cannot remember them just on the moment. Mr. Boswell of Quebec, Mr. Doddswell of Nova Scotia.

Q. There was a gentleman named Mr. Bacon appointed for that position in connection with this work. He was at that time in the employment of the United States Government. He obtained leave of absence for three months to attend to this work. Since August last he has been doing that work at the rate of $300 per month.

Q. From your knowledge of engineers would there have been any difficulty in obtaining a competent man here? A. I cannot say whether any man who is really an expert in that work would be available for it.

Q. For three months? A. For three months I think they could get a man.

Q. For six months, he was only employed for three months and obtained leave of absence? A. I cannot say whether you could get a man or not.

Q. For three months? A. Probably for three months.

Q. The knowledge of tidal waters makes no difference as far as our Canadian engineers are concerned? A. No.

Q. They are equally as well qualified to work in tidal waters as in inland waters? A. Yes, some of them have had more experience in tidal waters than in inland waters.

Q. Of the Canadian engineers? A. Yes.

Q. Do you know Mr. Stephens the engineer in charge? A. No, I do not.

Mr. CLEMENT H. MCLEOD being sworn:

By Mr. MOWAT: Professor McLeod I understand you are professor of Surveying in McGill University? A. I am.

Q. And before that you were a practising engineer and surveyor? A. I was.

Q. For how long? A. Before my appointment as professor, about 10 years, but during that time I was also connected with the college, with McGill University.

Q. Before becoming professor you were engaged with McGill? A. Yes.

Q. Have you had experience on railway work in Canada? A. I have.

Q. In your profession? A. I have.

Q. I am also given to understand that you are Secretary of the Canadian Society of Civil Engineers? A. I am.

Q. How long in that position? A. I will have to look. (Looks at book) Since 1891.

Q. 13 years? A. Yes.

Q. Do the duties of that position as secretary require that you should keep in touch with practising civil engineers and students? A. Not especially.

Q. May I ask you to give briefly what your duties as secretary of the society are, because I understood that was one of the objects of having a secretary? A. They are defined in the by-laws:

"The Secretary shall keep an accurate record of the transactions of the society and of Council. He shall also keep a correct roll of members names, with their addresses and dates of their admission. He shall conduct the correspondence of the society, give notice of all meetings, supervise the printing and under the directors of the council edit the transactions of the society.

Q. I suppose that in keeping this roll of the members of the society and their addresses and dates of payment, that requires you to keep apprised of what their work is and where they are engaged. I see there is an accurate list of all the members? A. It requires me to keep a list of the members simply, with address.

Q. Do you consider it part of your duty that if an enquiry was made for the address of any member of your society or what work he was engaged in you would give it to the inquirer? A. Certainly.

Q. So that the efficient filling of your office requires that you should have a general knowledge of what is being done by members? A. No, it

does not require any knowledge of what has been done.

Q. Their occupation and address? A. Simply their address is all that is required on account of my duties as secretary.

Q. Do I understand that as Professor of Engineering, rather of Surveying in McGill College you would have a knowledge of graduates who would be available for employment? A. To some extent but simply in regard to very junior men.

Q. What do you mean by junior men? A. I mean under graduates.

Q. I suppose that some of these graduates apply before graduation for experience with parties? A. To a very limited extent indeed.

Q. During summer? A Not in charge of parties.

Q. Now your idea is to encourage young men to seek experience with parties? A. Certainly.

Q. Do I understand that they do not avail themselves of that advice? A. No, I said that our men before graduating are rarely in charge of parties.

Q. I mean engaged in parties. Do I understand, Professor McLeod, that as professor of surveying in McGill College it is not one of your duties to see that graduates of the college obtain experience in parties? A. In so far as possible we assist them all we can, there is no duty involved.

Q. But to make the course in McGill College as efficient as possible you desire that they should obtain experience? A. Certainly.

Q. Now Mr. Stephens who was appointed assistant chief engineer in charge of the surveys of the Grand Trunk Pacific from the eastern part of Ontario to the coast was examined under this commission. Were you in the room when Mr. Shanly gave his evidence? A. Only part of the time.

Q. Then I will read to you the question asked Mr. Stephens:

"Q. Did you personally invite any one from the United States to come over? A. Yes, after I had exhausted every effort to get others here."

Q. Mr. Stephens was appointed assistant chief engineer on the 19th February, 1903, did he go to you as Secretary of the Canadian Society of Civil Engineers, or as Professor of Surveying in McGill College, and ask for the names of engineers who would be available to be placed in charge of parties, or as assistants or instrument men in parties. If so, when did he go? A. I do not recollect any direct application from Mr. Stephens, we have several times been in communication with him from the college in regard to the employment of men.

Q. By letter? A. Mostly by telephone, I have personally recommended a few names by telephone.

Q. By telephone a few names? A. Yes, a few names.

Q. What names did you recommend? A. I think they were only men of the graduating class.

Q. I will give you time to think that over. A. The only one I can recollect is one of this spring.

Q. Spring of 1904? A. Yes, his name is Taylor.

Q. What are his initials? A. I cannot tell you. (Looks at book) R. F. Taylor.

Q. Was he a graduate of your university? A. A graduate of this year.

Q. Was he employed by Mr. Stephens? A. He has not been employed.

Q. Then your recollection does not enable you to mention any other names that you furnished to Mr. Stephens at his request? A. No, I cannot recollect any names. I state this in connection with our general practice we get as much information as possible in regard to sources of employment and I know in that connection we would telephone to all the railways.

Q. Did you get a letter from me Mr. McLeod? A. Yes, this morning.

Q. Have you got it? A. The young Mr. Taylor I named is in the employment of the Grand Trunk not of the Grand Trunk Pacific.

Q. That is on the eastern system but not in connection with surveys? A. No.

Q. Then he is not under Mr. Stephens? A. No.

Q. What object had you in affording us that information? A. I thought you wanted to find out.

Q. I thought you understood that we are discussing the Grand Trunk Pacific not the Grand Trunk? A. Yes, I did.

Q. This is the letter I wrote you, I will read it as I wish the stenographer to take it?

Toronto, July 2nd, 1904.

"Dear Sir,—

"With reference to the information that you kindly afforded me on the 30th ultimo, I write you to-day to say that I have made arrangements that you, as Secretary of the Canadian Society of Civil Engineers should be called at the Alien Labour Commission on Monday the 4th instant, to give your opinion as to whether in Canada, in 1903, engineers with railway experience could be obtained to undertake the present location work of the Grand Trunk Pacific Railway, and I would ask you to be good enough to give the names of such as would be fitted for chief engineer at, say, $7,500; division engineers at $4,000; harbour engineer at $3,600; district engineers at $3,000; assistant engineers in charge of parties at $175 per month and expenses, as well as transitmen, levellers, topographers and draughtsmen. Your familiarity with those practising in Canada and your official position in the society will, I take it, enable you better than most to give this information

I ask for the names of these gentlemen, I will not ask you for information as to whether they would leave or would have left their present employmnt, but only as to capacity."

Q. Well, will you now give a verbal answer to that letter so that it will go down on the records. First as to chief engineer. A. How did you frame the question? Q. "The names of such as would be fitted for chief engineer"? A. I really must decline to give any names. I would consider it invidious to select any names for such a position. I have no doubt there are gentlemen in the society who are qualified for such a position.

Q. Many? A. I would say there are several.

Q. Would there be in your society, you seem to express a doubt? A. A doubt? oh no, I have no doubt.

Q. When I asked you whether there are many in your society that would be capable of properly filling this position you say it would be invidious to mention their names? A. I do not wish to mention their names.

Q. Then perhaps we can get it out by asking you how many in your society in your opinion are fitted to occupy this position? A. Oh I have really not gone into that in such a way as to be able to say definitely who I would consider qualified.

Q. I am not considering "to say definitely" I am asking you how many? A. That implies.

Q. It does not imply that you should make that comparison.

A. I say in general—I do not wish to go further—that I consider there are several members of the society who are qualified for the position of chief engineer of the Grand Trunk Pacific surveys.

Q. Your loyalty to your society does not suggest to you that you should give a little more definite answer to that question? A. On the contrary.

Q. On the contrary, what? A. I would not consider it justice to name any person.

Q. I think myself I am quite justified in asking you to give me the names of members of your society who would be—A. I can only say that there are several gentlemen who would be qualified.

Q. How many? A. I am not in a position to say.

Q. Would there be 100. A. I cannot answer.

Q. You cannot say there would be 100 men of the Canadian society who would be competent? A. I cannot answer that.

Q. And you will not? A. If I cannot, I will not.

Q. Are there 50? A. Same answer.

Q. I will not ask you a number less one but I will ask you to say whether there are 25 who you could say as an engineer of experience and as secretary of the society that would be competent, if available, to occupy this position, and on this work? A. Oh I would say, possibly, in regard to that?

Q. Possibly 25? A. I do not know.

Q. Can you say with certainty that there are ten, the list is before you, and I ask you to take your time as this is such an important mater? A. I would say in regard to that, possibly.

Q. Possibly, but not positively? A. Not positively.

Q. And not positively as to 25 of course. No answer.

Q. You yourself from your engineering and surveying experience and your academic training would be capable of filling this position? A. A very delicate question.

Q. There is no want of modesty, Professor McLeod, in your answering a question of that kind. Now Professor McLeod we have no hesitation in asking if you would be capable of filling that position? A. I must, of course, say yes.

Q. And I presume that you consider that there are a very large number of other members in this society whose attainments are equal to your own? A. Quite so.

Q. I suppose you would say that there are 100 names on that list whose attainments and achievements are equal to your own, a small number out of this great list which is under your control, 100, say. You are taking so long? A. You did not ask me any question.

Q. I am putting that as a question what is the answer? A. I decline to answer.

Q. I do not think so? A. I do not wish

Q. On the ground of delicacy.

Mr. Biggar: I am not here to protect the witness, but I think this witness is not being fairly treated. There is no objection to a question being asked but the manner of the counsel in putting a question may be objectionable.

The Commissioner: I do not think the counsel is very objectionable in his manner Mr. Biggar. He is endeavoring to get an answer and the witness does not seem willing to answer what I think is an important question.

Mr. Biggar: Not at all, however the witness is your witness but does not seem to be. I do not think that he has declined to answer anything that is fair.

The Commissioner: I think he could answer a great many questions that he has refused to answer, I do not think there can be any doubt about that at all.

Mr. McLeod: May I state

The Commissioner: Never mind stating, just answer. Go on with the question Mr. Mowat.

By Mr. MOWAT: Do I understand that you associate yourself with this objection of Mr. Biggar's or do not? A. I simply decline to answer the question because of the reputation of the men, all members of the society.

Q. And Mr. Biggar's championship is quite unasked for by you? A. I did not ask him.

Q. Then I am told by Mr. Knowlton who is a division engineer at North Bay, in charge of 800 miles of work, that on the 17th March, 1904, he asked you to mention to him the names of assistant engineers to take charge of parties. Did you give him the names of such engineers? A. I received a letter from Mr. Knowlton.

Q. Have you got it? A. I have a copy of it.

Q. Where is the original of this? A. It is in the office of the assistant secretary.

Q. Then you consider that although this is not addressed to you as secretary of the society it was received by your assistant secretary and filed? A. It is addressed to me, I think. Prof. C. H. McLeod, 877 Dorchester Street. That is the address of the headquarters of the society.

Q. Did you make these copies for the purpose of this enquiry? A. I made that copy this morning as this is the only thing we have on file.

Q. This is the letter of March 17th, 1904:—

North Bay, March 17th, 1904.

"Prof. C. H. McLeod,
877 Dorchester Street,
Montreal, Que.

"Dear Sir,—

"Do you know any good locating engineers that you could recommend? They must be good men of experience, good bushmen and rustlers and willing to undergo extreme hardships. It is very possible that I could place one or two such men if I knew where to get them."

"Yours truly, Geo. A. Knowlton, Div. engineer."

Q. And you replied to him on the 23rd of March:

"Canadian Society of Civil Engineers."

"Montreal, 23rd Mch. 1904.

"G. A. Knowlton, Esq.,
"Dear Sir,—

"I beg to acknowledge receipt of your letter of the 17th instant, and will endeavor to ascertain the names of some men for you."

"Yours truly, C. H. McLeod, Secretary."

This is a copy of the notice or bulletin which you say was posted on the notice board of the society:

"One of the division engineers of the Grand Trunk Pacific has applied for two or more locating engineers, men of experience, good busnmen, rustlers and willing to undergo extreme hardships. Applicants will kindly hand their names to assistant secretary."

Q. Is the Assistant secretary in Montreal? A. Yes, a young lady who has charge of the records.

Q. What is her name please? A. Miss Bray.

Q. Is that all the correspondence you had with the Grand Trunk Pacific? A. That is all I can recollect.

Q. Are you employed by the Grand Trunk Railway Mr. McLeod? A. I do some work for them in regard to giving them time from the college, that is I am superintendent of the observatory.

Q. What is your employment? A. I am employed as engineer.

Q. You can answer this question, if you wish, I do not wish to press you, what emolument do you receive from the Grand Trunk for the services you render? A. I think I should not wish to answer that question.

Q. I do not think your objection to giving any names, Mr. McLeod, will apply to the names I may mention and getting your opinion as to their capacity, not availability, but capacity for employment. I already read them over to Mr. Shanly who had no objection to giving his opinion. Mr. Peter S. Archibald? A. You wish me to answer?

Q. Yes. A. I consider Mr. Archibald very well qualified as an engineer so far as I know him.

Q. John F. Armour? A. I don't know Mr. Armour.

Q. Perhaps you had better take the list and those names on that list you consider competent engineers of experience, you will kindly give to the reporter for the Commission? A. My personal experience with these men is really not such as to justify me in giving an opinion.

Q. You had only turned over two pages when you made that remark, you have not completed the list? A. I looked it over once.

Q. But I certainly could not ask you to peruse the whole list but at the time you made it you were unaware of the names on the last page? A. Quite so.

Q. Then I understand that your experience in engineering has not brought you into contact in any way with those names on the list? I am asking that as a question? A. Oh certainly, I have seen a number of these men, met them in connection with engineering work.

Q. Will you kindly mention those on the list you have met in that way? A. In connection with engineering work?

Q. I will first ask you that, the names of those whose work you know by reason of personal association with them? A. Mr. Archibald, I have already mentioned. Mr. Busteed, Mr. A. E. Hill, Mr. W. B. Dawson, Mr. Hiram Donkin and Mr. C. B. Smith. I think these are all with whom I have been brought into professional contact with.

Q. That is personal. A. Personal. Of course I know a number of them as engineers.

Q. Would you give us these who would be fitted for positions on this survey? A. What kind of positions?

Q. Either as chief engineer, as division engineer, or even as assistant engineer in charge of a party, a locating party? A. Down to in charge of a party?

Q. Yes, barring any man you have already given. A. H. W. D. Armstrong, H. N. Bruce. I know one Mr. Bruce there are two here. Mr. H. Irving, W. H. Kennedy, C. H. Gauvreau. What name is that?

Q. Down there, E. Hazen Drury. A. I know one Mr. Fowler, I don't know which one it is.

Q. There are Zach and Robert Fowler in Manitoba. A. I presume it is the first.

Q. Because his address is Ottawa? A. Yes. Mr. G. H. Garden, Mr. N. H. Green, D. B. McConnell. I don't know what Mr. Metcalfe this is?

Q. That is C. P. Metcalfe? A. I would put him on the line. Mr. C. H. Mitchell, I have heard of him, I do not know him. Many of these names I am familiar with by correspondence.

Q. Yes, and I am asking you not as to their achievements. A. John W. Woodman.

Q. Then I would not be justified in letting you go Mr. McLeod without submitting to you a list of applications for positions on this work which was

furnished us by the Grand Trunk Pacific and to ask you whether this list contains the names of those you have mentioned whose abilities you know would fit them for positions of any kind on this staff. I will read them over. A. If you please.

Q. Have you read this list? A. Generally, yes I have looked at the names.

Q. Are there many men on this list you would consider? A. There is not a considerable number on this list whom I know personally, there are, however, a few who are undoubtedly qualified for positions.

Q. That is not quite so definite as I wish, can you mention the number on this list by just counting them as you go along and giving us the number? A. I see only about 10 with whom personally I am sufficiently familiar to be able to say anything about them.

Q. That is to give testimonials to saying that they would be capable to occupy these positions? A. Yes, no doubt there are many men there in good standing whom I know nothing about.

Q. I did not ask you to judge them individually because you declined to speak personally of them.

By Mr. BIGGAR: Just one or two questions. In answer to the letter of Mr. Knowlton, do you know of any applications having been received? A. I know of one.

Q. Only one? A. I only know of one who actually applied and that was not through me, direct.

Q. Is there any other form, or book, or roll in which you keep lists of applicants for positions in the society. It is customary to have these applications filed, applications for positions. A. Yes, we have a record book in which to enter applications from gentlemen who wish for employment.

Q. Are there many applications of that kind before the society now? A. I should say not a great many, I can produce the list if you wish.

Q. Have you got it here? A. No.

Q. I do not think it necessary I have looked it up recently.

Q. How many names have you on it at present? A. Well we never know whether a man who makes application gets employment or not, they stand on the list. It is not a very large list.

Q. I think perhaps you have forgotten that you recommended a man named Lane? A. That was the man I had in mind but I forgot.

Q. What became of him? A. He was employed.

Q. I understand from Mr. Mellen that you had recommended him? A. I have forgotten he was a graduate of 1903.

Q. And was given a position? A. Was given a position on one of the parties.

Q. I understand that you are secretary of the Canadian society? A. I am.

Q. Is there a new society by the name of the Dominion Society? A. I have seen a good deal of the new society in connection with this enquiry. I think it is the Dominion Society of Amalgamated Engineers, I am not sure.

Q. Do you know who the secretary is? A. I lately saw it in the press, Griffith, I think.

Q. Is that an incorporated society. A. It is not.

Q. I understand that society applied for incorporation? A. Yes.

Q. Was it granted? A. They brought in a bill in the Dominion house last year which was rejected in committee.

Q. So they have not been incorporated? A. Not to my knowledge.

Q. Do you say that the secretary of that society is Mr. Griffith? A. I only know that from newspaper report.

Q. Do you know Mr. Griffith? A. Only by correspondence.

Q. Do you know that he was employed for the Grand Trunk Pacific? A. I have only heard it I do not know it personally. I heard he was employed.

By the COMMISSIONER: As secretary of the Canadian Society of Civil Engineers please let me know what is necessary in order to become a member of that society? A. There are three grades of membership.

Q. Never mind the grades of membership, what is necessary to become a member can you tell me that? A. An engineer must have had 10 years experience in engineering work and five years in charge of work. That is the highest grade of membership.

Q. Look at your list of membership, I will read out the names of applicants to the Grand Trunk Pacific for employment, and you will kindly check them over when I read? A. Members of the Canadian Society you say? Q. Yes. H. W. D. Armstrong? A. Yes.

Q. J. H. Armstrong? A. Yes.

Q. J. T. Armour? A. He must be an associate. Yes.

Q. J. A. U. Beaudry? A. Yes.

Q. A. M. Bruce? A. Yes.

Q. E. Berryman? A. Yes.

Q. J. St. V. Caddy? A. Yes.

Q. Cartwright, C. E.? A. Yes.

Q. Carry, H.? A. Yes.

Q. Duffy, Ambrose? A. Yes.

Q. Drury, E. H.? A. Yes.

Q. Hillman, T. E.? A. Yes.

Q. Hibbert, F. A.? A. Yes.

Q. Kennedy, J. H.? A. Yes.

Q. Miles, C. LeBee? A. Yes.

Q. McConnell, B. D.? A. Yes.

Q. Moberley, Frank? A. Yes.

Q. McCarthy, William? A. Yes.

Q. Pillsworth, W. R.? A. Yes.

Q. Herridge, A. R.? A. Yes.

Q. Smith, Cecil B.? A. Yes.

Q. Stephens, Arthur? A. Yes.

Q. True, Abbott? A. Yes.

Q. Walsh, E. J.? Yes.

Q. Now these names appear on your list as members of the Canadian Society of Engineers? A. Yes.

Q. Are they not qualified as civil engineers? A. They are.

Q. Do you know any of these gentlemen personally? A. Oh well, I have named some.

Q. I have taken them off, can you name those you do know personally? A. Now I have already named Mr. Armstrong as one I know personally, Mr. Berryman, Mr. Bruce, Mr. Carry, Mr. Doucet I have met G. H. Garden; one of the Mr. Kennedy's, I really don't know what his initials are.

Q. That is of St. Thomas? A. Yes, I think so. Mr. McConnell, Mr. Metcalfe, Mr. Mitchell, I beg pardon, Mr. Moberley is there, Mr. C. B. Smith, Mr. Szlapka, Mr. Walsh. Yes those are all.

By Mr. MOWAT: Will you allow me to point out that there are several in this list in addition to these, there is Mr. Crawford? A. Do you wish me to look them up and see if they are members?

Q. He is a member. A. I am talking of members not associates, Mr. Crawford, Mr. Carry.

By the COMMISSIONER: Now of these gentlemen you personally know, Professor, would you kindly inform me which one of them would be qualified as division engineer? A. Oh they should all be qualified.

Q. Are they? A. Then that applies to my personal knowledge?

Q. I am asking you for your opinion as to qualification, you know them personally? A. So far as I know the men named they are qualified, as head of a party, did you say?

Q. I said division engineers or district or assistant engineers? A. I am afraid my knowledge of them does not go far enough to justify me—

Q. Never mind being afraid look at the names and see whether they are or are not qualified for positions as division engineers. Will you give me the names of those who are qualified for these respective positions, Professor, division, district or assistant? A. Really that is travelling over the same ground as Mr. Mowat's question.

Q. Never mind Mr. Mowat's question, kindly answer mine if you please? A. I regret that it is impossible.

Q. Then you either know that these gentlemen are qualified or you do not? A. I stated I knew them.

Q. Will you kindly tell me if you think them fitted for these positions? A. I think their admission to the society should qualify them for the positions you mention.

Q. For all three positions? A. Yes.

Q. Does it as a matter of fact? A. I do not know.

Q. Do you mean to say that you do not know whether Mr. Caddy is capable of taking charge of a division or a district? A. No, I do not.

Q. Mr. Armstrong, H. W. D.? A. Now the way in which I know.

Q. Never mind that kindly answer the question? (No answer).

Q. You do not know whether he is qualified as a division or a district engineer? A. I do not know except in so far as his qualifications as a society member.

Q. So far as he is qualified as a society member? A. That applies to all the names.

Q. And will you swear from your knowledge of these gentlemen that they are not qualified to act as division engineers? A. No.

Q. I want you to go as far as you can, you heard what one of the witnesses said? A. I do not wish to contradict what they state.

Q. Is Mr. H. W. D. Armstrong qualified to act as division engineer? A. My statement is that under the terms of their membership with the society they are deemed to be qualified.

Q. What I want to know is from your personal knowledge, because you know them personally, some of them, I want to know from you whether they are or are not qualified for these positions? A. I do not know and I want to be understood in saying that I do not know, I do not say they are qualified.

Q. We will get it after a while. Do you know Mr. H. W. D. Armstrong? A. I know him.

Q. How many years have you had knowledge of his record? A. I met him as a member of the society.

Q. What are his qualifications as a member of the society? A. I do not know other than his record shows.

Q. What does the record show? A. I can produce that if you wish.

Q. You know his record? A. No, I do not.

Q. Now we will ask you to produce the record of all these gentlemen this afternoon to assist you in examination? A. If you wish the original papers they are at your disposal.

Q. It is for your convenience so that you can explain.

Q. Can you tell me the qualifications without looking at the records? A. I cannot.

Q. I understand every graduate in surveying is qualified for field work, he is a graduate for—A. They are not graduates for any position.

Q. For civil engineering? A. No.

Q. What are they graduates of? A. They are simply given diplomas as having obtained a certificate. I wish to give all precise information I have but do not wish to give information I have not.

Q. I do not wish you to give anything you do not know but everything that you do know. Do you know Mr. Caddy personally? A. No, I know Mr. Caddy by name only.

Q. By reputation, do you know his qualifications? A. No, except in so far as the records of the society show, not personally.

Q. Do you know Mr. Drury? A. I suppose I have met Mr. Drury but am not certain.

Q. Know about his qualifications? A. Except as a matter of record.

Q. Hillman of Hamilton? A. No.

Q. Mr. Kennedy? A. I know Mr. Kennedy.

Q. Do you know his qualifications? A. Mr. Kennedy is a very well qualified engineer.

Q. And qualified as division engineer. A. I think so.

Q. Mr. B. D. McConnell, do you know him? A. Well Mr. McConnell is now here.

Q. I do not care, Mr. McConnell will give evidence in a couple of days. Do you know Mr. McConnell? A. Yes indeed.

Q. What are his qualifications? A. All right.

Q. And would he be fitted for a division engineer? A. I think so.

Q. Do you know? A. I do not know anything about that.

Q. If you, as secretary of this society do not know, who does? A. I have already explained that this position of secretary does not bind me—

Q. To know the particulars about the members? A. Except as the record shows.

Q. Outside of that you know Mr. McConnell personally? A. He is well qualified.

Q. And qualified as division engineer? A. I think so.

Q. You believe so. A. Yes.

Q. Now Mr. Perry of Napanee? A. I do not know him.

Q. Mr. Fillsworth? A. Don't know him.

Q. Mr. Cecil B. Smith? A. Yes.

Q. What are his qualifications, would he be qualified as a division engineer? A. Yes.

Q. Mr. Walsh of Ottawa? A. Is he not in Mr. Schreiber's Department?

Q. I really do not know. A. This man I understand.

Q. He is a member of your society? A. If he is the man I mean he is in Mr. Schreiber's Department.

Q. And qualified to act? A. I have not seen him for many years. I cannot say if Mr. E. J. Walsh is the one.

Q. I cannot tell you about his initials. A. I can tell you whether it is here or not. This is the only Walsh we have as member.

Q. Do you know, that being so, whether he is qualified to act as division engineer? A. I do not know that this is the gentleman I have met or not. If it is he ought to be highly qualified.

Q. Then as far as your knowledge he is competent to act as division engineer? A. Yes.

Q. Do you know Mr. J. H. Armstrong of St. Catharines? A. I am not able to recall him.

Q. A graduate of McGill University. A. (Looking at book) J. H. Armstrong, where is he. It is not so stated here.

Q. It is stated in his letters. A. I am sure I do not recollect him as a graduate, possibly he may be.

Q. Do you know him at all? A. I cannot recollect his appearance in any way.

Q. You do not know him in any way? A. If he is a graduate of McGill I ought to.

Q. Now there are twelve associate members who have applied for positions on this railway and I will read their names to you so you will know what answer to give. To be an associate member requires two years professional charge of engineering work? A. Yes.

Q. Charles A. Abbott, associate member? A. Yes.

Q. J. L. Bogart, Kingston? A. Yes.

Q. W. A. Bowden of Montreal, he is also a graduate of McGill? A. I know another man of that name I don't know him.

Q. What position would he be capable of filling? A. If the man I know, capable of taking charge of a party, I do not know anything of his experience since he left McGill.

Q. How long ago since he left? A. A graduate of about four years standing, possibly more, if this is the man. (Looks at book) there is only one man of the name W. A. Bowden.

Q. J. D. Black, associate member? A. Yes.

Q. Chalmers, associate member? A. Yes.

Q. W. F. Campbell, associate member? A. Yes.

Q. R. B. Evans, associate member? A. Yes.

Q. Greene? A. Yes.

Q. J. Jorgensen? A. I do not find that name (looking in book) Yes.

Q. D. O. Lewis? A. Yes.

Q. Wm. Newman? A. Yes.

Q. D. A .Ross? A. Yes.

Q. These are all associate members of your society? A. Yes.

Q. Making with members of the society forty who have applied for positions on this Grand Trunk Pacific? A. Yes.

Q. In your opinion these are all qualified to act as engineers in charge of parties or upwards? A. Not the associates.

Q. You limit that to members? A. Yes.

Q. What position would the associates be capable of occupying? A. That would depend altogether on what experience they have. I should perhaps have stated at an earlier date that this society includes members who are mechanical engineers as well.

Q. These are all civil engineers I have referred to and so stated. A. I simply stated that these men may have been included on that list of membership.

Q. Associate members? A. All of them.

Q. Do you know less about associate members than about members.

A. I don't know whether I do. I should say that associate men would be capable of taking positions as transitmen.

Q. No higher positions, in charge? A. They might.

Q. In charge of party? A. Many qualified men are still associate members and have been associate members for many years.

Q. There is Mr. N. H. Greene? A. He is a coming man.

Q. What position would he be qualified to fill? A. I do not really know what has been Mr. Greene's experience.

Q. Would he not be qualified to act as engineer in charge of a party? A. I do not know what his experience has been.

Q. You know Mr. Ross do you not? A. No.

Q. You have a book of applications filed in your institute? A. Yes.

Q. I would like you to produce that this afternoon? A. I will.

Q. When you answered Mr. Knowlton's letter you did not tell him that these gentlemen I have named had applied for positions? A. No.

Q. You did not obtain any information of them? A. No.

Q. You did not enquire? A. No.

Q. When you received Mr. Knowlton's letter for persons who were available for positions what action did you take? A. I simply posted the bulletin of which I handed a copy to Mr. Mowat.

Q. For how long? A. It has been there until this morning, from that day.

Q. And when you answered Mr. Knowlton's letter you had not received any application? A. No.

Q. Did you turn to the application book? A. No.

Q. Did you not send him a copy of the list in that book? A. None in that book were qualified.

Q. Will you kindly produce that book this afternoon? A. I will.

Q. With reference to the position of chief engineer, do you know Mr. Schreiber? A. Yes.

Q. You know his qualifications? A. Yes, I worked under him.

Q. And his ability? A. Yes.

Q. You of course look upon him with great respect? A. Quite so, I worked under him for a number of years.

Q. And you would trust his opinion as to a recommendation? A. It would depend. I would have great regard for Mr. Schreiber's opinion.

Q. Now he recommended Mr. Hugh D. Lumsden for appointment as chief engineer, what do you say to that? A. In what respect?

Q. As chief engineer? A. I think Mr. Schreiber's opinion ought to be given very high value to.

Q. Do you agree with his opinion? A. As far as I know Mr. Lumsden, yes.

Q. He also recommended Mr. Peter S. Archibald? Do you agree with his opinion respecting Mr. Archibald? A. My knowledge of Mr. Archibald's experience is not quite as full as Mr. Lumsden. I would simply say if Mr. Schreiber recommended him his services ought to be considered.

Q. Mr. H. A. F. McLeod, he also recommended him as qualified, what do you say as to that? A. He is very well qualified as an engineer, I have not seen any of his work for a long time.

Q. From your knowledge of him would he be qualified? A. He should be.

Q. Mr. J. S. Caddy, Ottawa? A. I have met that gentleman.

Q. Do you know his qualifications, Professor? A. I am not aware, that is I do not personally know Mr. Caddy's qualifications.

Q. Mr. Shanly's name was also mentioned, James N. Shanly, what do you say as to him? A. I must say that you are now bringing me to the position—

Q. I quite agree, but now I must ask you for your opinion? A. You must do me the courtesy to understand my position in connection with the society.

Q. Professor, you are here to tell the whole truth. A. You are asking me for opinions, opinions are not truths.

Q. Opinions are truths, independent opinions.

Q. G. H. Massey, do you know him, what about his qualifications? A. His experience would certainly qualify him.

Q. Do you know Mr. Keating? A. Yes.

Q. And his qualifications? A. His qualifications should be sufficient.

Q. Your name has also been mentioned, I do not wish to ask questions, it was highly mentioned, you could fill the position? A. Yes.

Q. There was a Mr. Perry named, J. R. Perry? A. I know a Mr. Perry, but I do not think it is the same Perry, there is a Perry at present employed on the Grand Trunk Pacific.

Q. That is C. E. Perry. A. Then he is the only one I know.

Q. He is qualified for the position he occupies? A. Oh yes.

Q. Was he qualified for the position of division engineer? A. Yes, I have known of his professional connections for 25 years.

Q. How old is he? A. 60 years or more.

Q. Do you know Mr. MacCunn? A. Except by correspondence.

Q. I understand that you receive a salary for the work you do for the Grand Trunk Pacific Railway? A. Yes.

Q. Now if you will have the application book this afternoon we will adjourn until two.

By Mr. Mowat: Just one question. There was Charles Fairchild, a young gentleman from Tacoma employed as transitman on the western slope of the Rockies who told me that he was 23 years of age, he had been two years placer mining in the Yukon and had six months railway experience on construction. His whole engineering education was that he had taken a course in the Y.M.C.A., school as transitman. Will you give me your opinion as to whether that course was suitable or proper for such employment? A. I would say that the course in the Y.M.C.A., is not very effective. I have known people who did .

Q. And if he was attending twice a week during the winter months, there were two courses during the year, what would be your opinion? A. How long did he attend, one year? Q. Yes. A. I do not think he could have acquired very extensive knowledge.

Q. If you were asked to recommend a young graduate of McGill University, or that young gentleman, who would you recommend? A. Simply having in view their training?

Q. Yes. A. I think it rather absurd to compare them.

Q. The McGill College man would have the preference? A. Yes.

Mr. McLeod to the Commissioner: Might I ask exactly what is wanted besides the record of applications, do you want the records of certain gentlemen? A. I think not. We will now adjourn until two o'clock.

Meeting at 2 p.m. on the 4th July, 1904.
At the Court House, Montreal.

The Commission resumes:

Mr. McLeod recalled:

By the Commissioner: Have you the application book Professor McLeod? A. Yes, Your Honour, (hands book to judge).

Q. Will you kindly make out a copy of applications since the beginning of December, 1902, and let me have it instead of keeping the book? A. Yes, Sir.

Mr. J. R. STEPHENS being recalled:

By the COMMISSIONER: You are already under oath, Mr. Mowat wishes to re-examine you.

By Mr. MOWAT: I am simply recalling you, I had not the advantage of being here when you were formerly examined. Are you a civil engineer Mr. Stephens? A. I am.

Q. How long experience rather from what duration of time? A. I have had 24 years experience, I am a graduate of a mechanical engineering establishment.

Q. Have you a diploma as mechanical engineer? A. Yes.

Q. What institution? A. Stevens Institution of Technology, Hoboken, N. J.

Q. In what year did you graduate from that institution? A. 1878.

Q. Are you a member of any national society of civil engineers? A. None whatever.

Q. Not of the American society? A. None whatever.

Q. Is that an advantage or a disadvantage? A. I do not know.

Q. But not being a member of that society you would not be able to confer with other engineers eminent in the profession, there are no conventions or meetings? A. I would.

Q. Could not go to their meetings? A. I could.

Q. Without being considered an intruder? A. No, I could get a card and go as a visitor.

Q. Are you a member of any Canadian society, Dominion or Provincial, of civil engineers? A. No.

Q. Are you acting as civil engineer at present here in Montreal? A. I am.

Q. And I suppose doing all that is necessary in that direction in your present employment? A. Trying to.

Q. Was it ever pointed out to you, Mr. Stephens, that unless you were a member of the Quebec society you could not practice here? A. I do not remember that, I have not heard that.

Q. That was not called to your attention? A. No.

Q. I see by the Quebec act relating to civil engineers there is a clause to the effect that: "On and after the 1st of January, 1899, no person shall be entitled, within the Province of Quebec, to use the title of civil engineer, or any abbreviation thereof, or any name, title or description implying that he is a corporate member of the said society, nor to act or practise as civil engineer within the meaning of the first section of this act."

The first section so named reads as follows:—

(d) The expression "civil engineer," means any one who acts or practises as an engineer in advising on, in making measurements for, or in laying out, designing or supervising the construction of railways, metallic bridges, wooden bridges, etc.

A. Where?

Q. In the Province of Quebec, then I would call your attention to clause 10 of the said act (61 Vic. chap. 32, statutes of Quebec) which reads:

10. "Any person who, not being registered as a member of the said society, takes or makes use of any such name, title or designation as mentioned, or assumes the title of civil engineer, shall be liable upon summary conviction

to a fine not exceeding twenty-five dollars for the first offence and not exceeding one hundred dollars for any subsequent offence.

A. These were not called to my attention.

Q. I understand, you did not hear of them before this? A. Yes.

Q. Now when examined before I notice that in discussing the appointment of Mr. James H. Bacon the question was asked:

"What is the nature of his special work?" You replied: "Looking after harbour propositions, he is not a railway engineer at all." Then the question is asked: "Is his work such as it would be impossible to get any one in Canada to do it? and you answered: "Well I think it would be difficult to do so for this reason. When I started here I asked several of the prominent engineers to accept a similar position and they invariably told me they were fully occupied at better wages than we could offer them."

Q. Did you apply to Mr. Schreiber for the name of any person who could act as your engineer out there? A. I did not.

Q. Did you apply to John Kennedy, harbour engineer, at Montreal? A. I did not.

Q. To Mr. Boswell, harbour engineer at Quebec? A. I did not.

Q. Did you apply to Mr. W. J. Sproule, assistant harbour engineer, Montreal? A. I did not.

Q. Did you apply to Professor McLeod, Secretary of the Canadian Society of Civil Engineers for a person who could fill this position of harbour engineer? A. I think I did not, I am not sure.

Q. Did you apply to Mr. Marceau, vice president of that society? A. No, I am sure I did not.

Q. You don't know Mr. Marceau? A. No, I don't know Mr. Marceau.

Q. Col. W. P. Anderson is chief engineer of the Department of Marine and Fisheries, having jurisdiction over harbours, did you apply to him for any person who could fill this position? A. I did not.

Q. Did you apply to Mr. W. Bell Dawson who is employed under the Department of Marine and Fisheries? A. I did not.

Q. I suppose that coming here only recently your knowledge of the achievements of Canadian engineers, and your personal knowledge of these is very limited? A. Well I do not say that, because I know a good many Canadian engineers.

Q. Well, for instance, you were asked in examination:

Q. "Is your knowledge of the engineers of Canada sufficiently wide to let you know whether they could take these positions?

A. Personally?

Q. Personally? A. I might be weak on that point.

Q. I suppose that would be correct? A. I think I stated to His Honour that I might be weak on that point but would endeavor to check any errors by consultation with parties like Mr. Tye.

Q. You say: "I have consulted Mr. Tye and others and took their advice, and Mr. Tye informed me that he would be perfectly willing to testify at any time in writing or verbally that I had employed every Canadian engineer that he had recommended."

Q. That was your story before, now what Canadian engineers did you employ? A. I cannot recollect, it is a matter of record in the files.

Q. It would be if recommended by Mr. Tye? A. I think you will probably find that some of Mr. Tye's recommendations were not there. I remember positively one or two men I employed after I got here, one was Mr. Alexander McLennan.

Q. He was employed as assistant engineer in charge of a party north of North Bay. A. There are some others I cannot recollect them positively.

Q. Have you any other names impressed on your memory? A. I forget really, I can look them up for you.

Q. Did you consult Mr. Tye in reference to the appointment of this Mr. Bacon as harbour engineer? A. I did not.

Q. Will you tell me the names of the several engineers whom you did ask to take Mr. Bacon's place; before you answer I will read what you said:

"When I started here I asked several of the prominent engineers to accept a similar position and they invariably told me they were fully occupied at better wages than we could offer them."

Q. Does that refer to Mr. Bacon? A. I wish to correct that testimony. We had an engineer in Mr. Bacon's position in the west, before Mr. Bacon came, and he resigned at same work.

Q. Then I understand you to say that this answer you gave is not correct? A. I would like to correct that.

Q. In what way? A. I would say that we had an engineer in the west looking up harbours, his name was Mr. Gray, J. H., and he looked up the matter of harbours and came back and resigned.

Q. But you see Mr. Stephens the question asked you was very clear: "Is his work such as it would be impossible to get any one in Canada to do it?" and you answered:

"Well I think it would be difficult to do so for this reason. When I started in here I asked several of the prominent engineers to accept a similar position. . . ."

Q. Now who were these prominent engineers you asked as harbour engineer, or if you do not think that answer correct? A. That answer is incorrect, I did not intend to answer it in that way.

Q. In what way did you intend to answer? A. I simply meant to state that the position was a difficult one to fill, that we had a man engaged on there but he had resigned, and after he had resigned we made arrangements with Bacon.

Q. "But you said: "When I started here I asked several of the prominent engineers . . . . . and they invariably told me they were fully occupied" there is no man in that? A. I meant that entirely different from the harbour proposition, I mean it with reference to division engineers.

Q. Now then that being the case and so correcting your evidence in that respect what prominent engineers did you ask to accept the position of division engineer, say at North Bay, at Winnipeg or Edmonton, at a salary of $4,000, mentioning to them the salary, who were these prominent engineers? A. There were three, we had there Mr. Kyle, Mr. Knowlton and Mr. Van Arsdol. I asked Mr. Leonard, Mr. Smith and Mr. Alexander Stuart to accept these positions.

Q. Mr. R. W. Leonard, Mr. Cecil B. Smith and Mr. Alexander Stuart, what was the result? A. Mr. Kyle and Mr. Van Arsdol—

Q. I mean what was the result with these three gentlemen, did Mr. Leonard accept? A. He did not.

Q. Did he refuse? A. He did.

Q. Did Mr. Cecil B. Smith refuse to accept? A. He did.

Q. Did Mr. Alexander Stuart refuse to accept? A. He accepted but before I had consummated the arrangement with him the company he was with raised his salary and retained him. He told me he was perfectly willing to come with me and admitted the obligation but I stated I would excuse him because he was getting more than I could offer him.

Q. That was Mr. Stuart? A. Yes.

Q. Where is he now employed? A. I think he is assistant engineer of the Great Northern under Mr. Hill.

Q. Did Mr. Smith refuse the position of division engineer? A. So I understand.

Q. There was a conversation between you? A. Yes, in Mr. McGuigan's office.

Q. Was Mr. McGuigan there too? A. I think he was.

Q. Anybody else? A. I do not think there was.

Q. Just you, Mr. Smith and Mr. McGuigan? A. Yes.

Q. Mr. Smith does not so understand it and I have a letter here written on the 4th of June, 1904. You will give what statement you like concerning it. It reads:

"Niagara Falls Power Company,
"Niagara Falls, Canada, June 4th, 1904.

"Honorable John Winchester, Commissioner,
"Clarendon Hotel,
"Winnipeg, Manitoba,—

"Dear Sir,—Replying to your inquiry of June 2nd regarding offer of position alleged to have been made by Mr. J. R. Stephens, Assistant Chief Engineer of the Grand Trunk Pacific, to myself, I beg to state as follows: On November 30th, 1902, I applied to Mr. C. M. Hayes for position as Chief Engineer of Grand Trunk Pacific, giving references and memorandum of my engineering experience, no appointment at that time having been made. This application was acknowledged by him December 2nd, 1902. During the early part of 1903 I obtained a short interview with Mr. Hayes and was advised that the position of Chief Engineer had been practically arranged for. At the same time I had an interview with Mr. McGuigan with whom I am personally acquainted, my idea being that even if the position of Chief Engineer was filled I might be able to obtain that of Assistant Chief Engineer. On February 21st, 1903, Mr. McGuigan wrote me suggesting an interview with Mr. J. R. Stephens who had just been appointed. Acting on his suggestion I met Mr. Stephens in his office a few days afterwards. The interview was of a desultory character, treating of the general condition of employment of railroad engineers. He drew from me the fact that my salary at that time was $3,600 and pointed out that there was nothing that he could offer me which would be an inducement, but stated that he had intended to have offered me a position as Division Engineer in charge of 200 or 300 miles of line. Later in the day I met him and Mr. McGuigan and endeavored to obtain from Mr. Stephens a definite offer stating salary which he was prepared to give, but was not able to obtain anything definite, and have not at any time had a definite offer of any nature from the Grand Trunk Pacific.

"Yours truly, "C. B. SMITH.'

Q. Now in view of that very definite statement by Mr. Smith what do you say as to your memory of the subject and the interview? You will not contradict this? A. That letter is not in evidence.

Q. Only as to the statement, can he make such a statement? A. But that is not evidence.

Q. Have you made such a statement? A. No I did not, I mean that Mr. Smith misunderstood me and perhaps I misunderstood him. My recollection of that interview is this that I wanted to get Mr. Smith and he spoke about his engagement there, at Niagara Falls, and he said that he was getting more money, or as much. I understood he was getting some $3,600 and he said he had a fascination for railway work and would like to come to

us but that as he had his family and everything in shape at Niagara Falls he would prefer to remain there.

Q. That is what your recollection is? A. That is my recollection.

Q. Do you remember his coming back to get you down to terms? A. I do not.

Q. You do not recollect that: "Later in the day I met him and Mr. McGuigan and endeavored to obtain from Mr. Stephens a definite offer stating salary which he was prepared to give, but was not able to obtain anything definite" . . . . A. I do not recollect anything about that.

Q. At that time had not $4,000 been fixed as the salary of a division engineer? A. It had.

Q. Did you mention that sum to Mr. Smith? A. I think I did.

Q. You think you mentioned it? A. I would say from the recommendations I would be very glad to have understood it as he understood it and to have had him for the Grand Trunk Pacific.

Q. On account of his reputation as an engineer? A. Yes.

Q. I do not suppose you desire to go down on record here as saying that what Mr. Smith stated is not true, it is simply a matter of recollection? A. Just a misunderstanding between us.

Q. Then the number of prominent engineers you asked to accept is confined to these three, Smith, Leonard and Alexander Stuart? A. Yes, I think so.

Q. Can you be sure? A. No I would not be sure on that point.

Q. Can you satisfy yourself from your records? A. Possibly I could yes.

Q. Now in this same examination you are asked this question: Did you personally invite any one from the States to come over here? and your answer was: Yes, after I had exhausted every effort to get others here. Then you were asked: Because you could not get Canadians to do it, and you answered: Yes. Will you please tell me what efforts you made to get those in Canada.

By Mr. BIGGAR: We have not been able to get a copy of the evidence although we applied for it three weeks ago. That question has reference to general employment.

Mr. MOWAT (handing him copy): Will you please read the context.

Mr. BIGGAR to Mr. STEPHENS: When you answered that question saying you exhausted every effort to get others to what positions did you refer, to positions in the survey or just division engineers?

THE COMMISSIONER: What is the question, Mr. Mowat?

Mr. MOWAT: "Did you personally invite any one from the United States? A. Yes, after I had exhausted every effort to get others here." I want to know if the witness personally invited persons from the United States to come here by reason of his alleged inability to get any one here?

Mr. STEPHENS: I will answer that in the first place by saying that I used my efforts here as I think I testified, through Mr. McNab, Mr. Tye and others whom I thought knew and were acquainted with the railway situation in Canada.

Q. Then what others? A. I do not remember except occasional talks with engineers I happened to meet. I visited Mr. Tye's office several times a week consulting about these applications. I also know that I had Mr. McNab telephone to the Canadian Society of Civil Engineers asking about applications and references. So far as my recollection goes there are one or two names.

Q. Do you remember of what you spoke? A. Yes.

Q. I suppose they were the only two you consulted? A. I don't know there are others but I do not recollect.

Q. You told me that Mr. Tye recommended Mr. McLennan, did Mr. McNab recommend him? A. I think he did, I don't recollect.

Q. There is no name on your pay-rolls that you can identify with Mr. McNab's recommendation? A. No.

Q. Is there any other person on your pay-rolls who was recommended by another engineer in Canada? A. I cannot say without going back over the files and going through the correspondence.

Q. Yes, do that, it will refresh your memory, you might make a small list? A. Yes, I will furnish you a list.

Q. Were you here this morning when a question was asked Mr. McLeod about having received a letter from Mr. Knowlton? A. I think I came in after that.

Q. It was stated and shown that Mr. Knowlton wrote to Mr. McLeod on the 17th March, 1904, asking him if he knew the names of engineers to take the place of assistant engineers on location, saying they must be rustlers and willing to stand extreme hardship. Was that letter written at your instance or suggestion? A. I think not, I am pretty sure it was not.

Q. Not by your orders? A. Not by my orders.

Q. By no understanding between you and Mr. Knowlton? A. No, I think that letter if I recollect, I did not know anything about until Mr. Knowlton informed me he had written.

Q. What did you do to get that information? A. I don't recollect, I may have been away from the office.

Q. Was there any communication between Mr. Knowlton when you asked him for a copy of that letter? A. By correspondence?

Q. Yes. A. Who signed the letter?

Q. Do you recollect signing any letter? A. I do not know.

Q. Do you know how Mr. Knowlton came to know the name of Mr. McLeod as the person to whom to apply? A. No, I do not.

Q. He had made more efforts than you did, did he not, to get Canadians from the Canadian Society? A. I did not know he did.

Q. Any way he wrote to Mr. McLeod something you never did? A. The reason why I never did so was that my communications with the Canadian Society was by telephone through Mr. McNab.

Q. Do you think that that letter written by Mr. Knowlton to Mr. McLeod was of sufficient importance to ask Mr. Knowlton to send you a copy? A. I do not know unless you show me the letter.

Mr. Knowlton writes you on the 14th April, 1904, from North Bay:

"Dear Sir,—In compliance with our conversation while you were in my office the last time I enclose herewith copies of letters to C. H. McLeod, secretary Canadian Society Civil Engineers, and J. S. H. Bogart, professor, Queen's College, Kingston.

"Yours truly,

"GEO. A. KNOWLTON, Division Engineer."

Q. You remember getting that, it comes out of your files. That is Mr. Knowlton's signature? A. Yes.

Q. "In compliance with our conversation," had he written to Mr. McLeod according to verbal instruction? A. No, I think not.

Q. What explanation can you give? A. I think Mr. Knowlton wrote it on his own option.

Q. You do not say that Mr. Knowlton would misinform you. He stated, "In compliance with our conversation while you were in my office the last time I enclose herewith". What was the conversation? A. I do not recollect about suggesting, there was nothing attached of any importance. I think Mr. Knowlton did that on his own volition.

Q. That Mr. Knowlton did that on his own volition? A. Yes.

Q. But he says it was in compliance with your request. What was your reason for asking for a copy, you did not doubt Mr. McLeod, did you? A. I forget ever asking for a copy, I do not remember that I ever had any conversation with him.

Q. But if the letter here says that it is in compliance with your conversation you would not care to say that it did not take place.

Q. Then you desired to get on record in your Department the fact that Mr. McLeod had been written to and did not furnish you with any names, is that the reason? A. I do not know, we generally try to get copies of all correspondence.

Q. Apparently you asked Mr. Knowlton to send you a copy of the letter he wrote to Mr. McLeod? A. We try to keep copies of all these letters.

Q. Was your reason that if the Canadian Society had not received it that would be very advantageous? A. No, absolutely no.

Q. It would be an answer to the charge that you were not employing Canadians, if there was anything of that kind, you did not mean it for that? A. Oh, no.

Q. Then when you say that you exhausted every effort to get engineers or assistants in Canada you mean that you had a conversation or conversations with Mr. Tye and Mr. McNab? A. Yes.

Q. Any others that you can recollect? A. No, nothing so specific, had so many conversations with different people, I have talked generally with a good many.

Q. Was it as specific as this that when you discussed about anybody you did not recall the qualifications of any engineer and as a result of such conversation, to so express it, turned him down? A. No, I would not say that.

Q. What do you say? A. I would not say that.

Q. You were in Winnipeg the early part of last month attending on this Commission, Mr. Stephens, and at that time Mr. Kyle, division engineer, whom you had appointed there, resigned his position as division engineer? A. Yes.

Q. Would it be right to say that it was at your suggestion that he so resigned? A. Mr. Kyle came to me and asked to have his resignation accepted and insisted upon it because he thought that the letter he wrote from Winnipeg, produced in evidence, was of such a nature that it demanded both an apology and resignation, and I accepted his resignation.

Q. That was not the first time that you and he discussed the matter? A. Absolutely yes.

Q. Absolutely? A. Yes.

Q. You mean to say that there was no conversation between you and him which would affect him in sending in his resignation? A. No, I called on Mr. Kyle the same afternoon that the letter was produced. I called on him in the evening we walked down street and he suggested this.

Q. You did not dissaude him? A. No.

Q. You rather thought it would be the proper course for him to take? A. I did not advise him one way or another. I told him if he felt that way the only thing I could do would be to accept his resignation.

Q. You did accept his resignation? A. I did.

Q. Now that Mr. Kyle has resigned it has been said that Mr. Kelliher, who had formerly been engineer in charge of a survey party, was appointed to the supervision of the Winnipeg office. Is that true? A. Yes.

Q. It is also said that Mr. W. E. Mann was appointed to the position occupied by Mr. Kelliher? A. That is true.

Q. Do you know that Mr. W. E. Mann had been employed in charge of a location party under the supervision of Mr. Van Arsdol? A. Yes.

Q. And are you aware that Mr. Van Arsdol dismissed or relieved Mr. Mann by reason of incompetent work? A. No, I have heard of it. I do not think that I recall Mr. Van Arsdol making any specific complaint.

Q. I am not asking about a specific, I am asking about the general complaint used to relieve him? A. I do not recollect.

... Q. Well, it is rather an important event, is it not, to relieve a man who is out on a party calling him in and thus injuring his professional reputation? A. I do not think it endangers his professional reputation.

Q. You do not think so. Changing from one party to another would not make much difference but that is your opinion when a man is absolutely turned off? A. Yes.

Q. Then you stated that your recollection is not very good of the personnel of these parties out on the line? A. No.

Q. That you leave to your division engineers? A. Yes.

Q. You leave that to them? A. Yes.

Q. You hold them responsible for the correctness of the work but leave to them the appointment or dismissal of their own officers? A. Yes.

Q. You recollect having received this letter from Mr. Van Arsdol, is that his signature? A. Yes, I received that letter, I had forgotten it.

Q. Mr. Van Arsdol says:—

"Edmonton, May 25, 1904.

"Mr. J. R. Stephens,
Assistant Chief Engineer,
"Montreal.

"Dear Sir,—I have relieved Mr. W. E. Mann as assistant engineer and placed Mr. A. S. Going in charge of party No. 16. Mr. Mann's work is entirely unsatisfactory: he lacks judgment in his work," etc., etc.

Q. This Mann is a Canadian? A. Yes.

Q. I am told that this Mr. Mann who was dismissed in the report to you was recommended on Mr. Kelliher being appointed head of the office at Winnipeg, to be chief of Mr .Kelliher's party. Was that with your approval? A. It was done on the strength of a conversation between Mr. Mann, Mr. Kyle and myself.

Q. Do you remember what Mr. Mann's salary was when in charge of party near Edmonton? A. I do not.

Q. You do not recollect, it was $150 a month and expenses? A. I do not.

Q. It has been sworn it was, I suppose you will not deny it? A. I did not find out from the pay-roll.

Q. Did you advise the sum which he would be paid down on having him re-engaged? A. I did.

Q. What is the sum? A. $175.

Q. At increased wages? A. Yes, on Mr. Kyle's recommendation.

By The Commissioner: There are some things I would like to ask you. You have stated that you obtained the opinion of Mr. Tye with reference to applicants occasionally? A. Well, frequently.

Q. Also Mr. Sullivan's? A. I think not directly, there may have been one or two cases, but I do not remember if I did. I may have talked to him.

Q. These two gentlemen are engineers on the C. P. R.? A. Yes.

Q. Was it because an agreement had been entered into between you and Mr. McHenry that no man on the C. P. R. should be appointed by you on this Grand Trunk Pacific, that you applied to these gentlemen as to the qualifications of applicants? A. The only arrangement that I entered into with Mr. McHenry was that if I wanted one of his men I would not go to them directly, but go through his office; if he wanted one of mine he was not to go

direct but would go through my office, and we were both agreeable that if any man could do better, Mr. Tye has always been of the same opinion and has always been willing to let him go, if they could not offer him as good a position as we could, if not a better position something that would suit him better.

Q. Did you obtain any application from any C. P. R. engineer? A. I don't recollect.

Q. So that you did not apply to them with reference to any of their men? A. No, I asked for some of their men.

Q. Can you give me the names of any of their men you asked for? A. Jones.

Q. R. W. Jones? A. Yes, and I think a man named McDonald.

Q. Is that a contractor? A. No, an engineer not a contractor.

Q. Where, at Winnipeg? A. West of Winnipeg.

Q. Any others? A. I do not remember, your Honour ,if you can refresh my memory.

Q. Did you refuse to appoint any man because they would not recommend them? A. Not directly, I do not think I did directly.

Q. Do you remember Mr. Woodman, of Winnipeg? A. Yes.

Q. You refused to appoint him as division engineer? A. Yes.

Q. That was on the recommendation of Sullivan and Tye? A. It was on the strength of Mr. Kyle's letter to me.

Q. Stating to you that Mr. Sullivan and Mr. Tye would not recommend him? A. Yes.

Q. Any others? A. I do not remember.

Q. Why did you not apply to Mr. Hobson with reference to the qualifications of these Canadian engineers? A. I think I asked Mr. Hobson a good many times.

Q. Did you in any case carry out his recommendation? A. I don't know, I don't think I did, I think I did not.

Q. You remember Mr. Hillman's application endorsed by Mr. Hobson? A. Yes, I do.

Q. A Canadian? A. I did not refuse.

Q. Did you not refuse? A. No.

Q. Have you appointed him? A. I have not.

Q. He was out of employment? A. I did not understand, he resides in Kingston.

Q. No, he resides in Hamilton, Mr. Hobson recommended him most strongly. A. Well, Mr. Hillman came down to see me and I did not understand at the time of my conversation with Mr. Hobson and Mr. Hillman that he desired such an appointment.

Q. Mr. Hillman asked you for an appointment and you refused to give him anything? A. So he says?

Q. Yes. A. Well. I misunderstood him.

Q. As you say you misunderstood Mr. Smith? A. Yes.

Q. Mr. Hobson told you Mr. Hillman was a man of position and standing? A. I did not understand that he wished to be appointed, from the conversation.

Q. Mr. Hobson tells me entirely different, Mr. Stephens, which of you is correct? A. Oh! I think I am correct.

Q. And Mr. Hobson incorrect? A. I think probably that we misunderstood each other.

Q. I find among the one hundred Canadian and British applications that were made for positions on the Grand Trunk Pacific by engineers there are 28 full members of the Canadian Society of Civil Engineers and 12 associate members of that society, that is 40 members of that society, did you know that? A. No, I did not.

Q. So that we have to-day yourself as chief engineer and we have three division engineers, two district engineers, one harbour engineer, one office engineer, all Americans?A. I think so.

Q. Don't you know that as a fact? A. Yes.

Q. Only one Canadian out of nine of the high positions? A. I do not know whether Knowlton is an American or a Canadian.

Q. Why is it you don't know that? A. Because I have not entered into any enquiry.

Q. As far back as April you were asked to make an enquiry as to the nationality of these men. Did you do so? A. We did.

Q. Did you ask Mr. Knowlton as to his nationality? A. Yes, through the office.

Q. What was his answer? A. I don't know.

Q. There was no answer on the records? A. No.

Q. You returned him as being born in Knowlton, Que., was that to mislead me as to his being a Canadian? A. No.

Q. He does not deny that he is an American. His father and grandfather before him were Americans. He has voted right along while in the United States? A. Then he is an American.

Q. Could you not know that at that date? A. Undoubtedly.

Q. Did you inquire into their qualifications at all? A. No, except through Mr. McNab's references to the society through the secretary or the lady who I understand is charged with the records there.

Q. They have a book there, have you seen it? A. No.

Q. You could have seen it? A. Yes.

Q. Did you tell Mr. McLeod's secretary of that? A. Not directly, we telephoned directly to the office.

Q. Did you know that any one of these gentlemen was a member of the society? A. Which one?

Q. Any one of the 40 names I read out to Mr. McLeod? A. I presume they would state if they were members when making their applications.

Q. Why did you not employ any of these 40? A. I do not know.

Q. Have you no other or better reason? A. No.

Q. Was it because you were employing Americans instead? A. Not at all.

Q. You did employ these Americans? A. We did employ some.

Q. At the time of these applications and subsequently? A. Yes, they have been employed.

Q. With your knowledge? A. Yes.

Q. And approval? A. Yes.

Q. Why did you not? A. I asked him to make a return, I was away when it arrived.

Q. You also made a return with reference to Mr. Allan, office engineer at Winnipeg, as being an Englishman? A. He made no return.

Q. He made no return? A. Mr. Kyle made a return as to nativity of employees.

Q. Nationality not nativity? A. Yes, nationality.

Q. Do you know Mr. Allan's nationality? A. I never asked him.

Q. Did you ask him? A. I did not.

Q. Was not your attention called to the fact that he was an American citizen as far back as April? A. It was.

Q. Did you call upon Mr. Allan as to the truthfulness of that? A. I never asked him.

Q. Do you know now whether he is an American citizen or not? A. I do.

Q. What is he? A. An American citizen.

Q. He is the gentleman who according to the evidence called the King a blackguard, do you know that? A. I don't know. I never heard Mr. Allan at any time speak disrespectfully in that way.

Q. You have heard him criticising Canadian engineers? A. Not to my recollection.

Q. Do you state that you have not heard him do so? A. I have heard him criticise a good many engineers.

Q. Since he came to Canada? A. Yes, and before.

Q. You knew him in the States? A. Yes.

Q. How long did you know him before bringing him here? A. Since about the 1st November two years ago.

Q. You went to a good deal of trouble in getting him to come to Canada? A. Yes, I wanted him, he is a good man.

Q. Is he still in the employment of the Grand Trunk Pacific? A. I don't know.

Q. After it has been sworn that he used that term you still retain him? A. Yes.

Q. Is Mr. Kyle still in the employ of the Grand Trunk Pacific? A. No.

Q. There is no agreement between you and him that you will re-employ him after this trouble blows over. I think there was something about it reported in the press? A. Not the slightest.

Q. Mr. Goodman, is he in the employ of the Grand Trunk Pacific? A. No.

Q. Mr. Mason? A. I do not know.

Q. Have you taken any of the men and deported them? A. None whatever. I understand, however, that Mr. Goodman has left the office here and gone to the States and I understand that Mr. Mason had left the office in Winnipeg and had gone to the States.

Q. Is Mr. Van Arsdol in the employ of the Grand Trunk Pacific? A. No, sir.

Q. Mr. McNeill? A. No, sir.

Q. Mr. McD. Mellen? A. No, sir.

Q. Are they still in Canada? A. I don't know where McNeill is, Van Arsdol is at Lewiston, Idaho, his home.

Q. You do not know whether Mr. McNeill or Mr. Kyle or Mr. Mellen are in Canada? A. I understand Mr. Mellen is in Canada.

Q. You have taken no means to deport them? A. No.

Q. Have you an understanding with them that they should be employed again in a little while? A. None whatever.

Q. Are they away on leave of absence? A. No, sir.

Q. I am asking you this because it was reported by Mr. Hannington at North Bay that these gentlemen were away on leave of absence. Is there any truth in that rumour? A. Not to my knowledge.

Q. Would you deny it? A. I do not know personally that such is the case.

Q. Were you instructed to attend the examinations at Winnipeg and other points west during the sessions of the Commission? A. How do you mean, by your Honour?

Q. No, I could not instruct you? A. I was instructed to go along with the Commission, I was not instructed to give daily attention to it or anything of that kind.

Q. Did you attend the Commission at Edmonton? A. I was there one day, the last day.

Q. During the examination of any witnesses? A. Yes.

Q. What witnesses? A. I remember the city engineer?

Q. Did you return to Winnipeg? A. Yes.

Q. You agreed with me to return the following Monday? A. I did not leave Edmonton until Monday.

Q. When did you arrive in Winnipeg? A. Must have been the next Wednesday.

Q. What hour? A. About noon. I think.

Q. The train is due between six and seven in the morning? A. They were late, I got some telegrams there that called me on to Montreal.

Q. Did not Mr. Kyle and Mr. Cameron inform you that you were required at the investigation? A. No, sir.

Q. Did they not inform you of the nature of the evidence that had been taken? A. No.

Q. Did they not tell you of the evidence as to your personal habits? A. Yes, sir.

Q. That at the request of Mr. Cameron that session was adjourned until Thursday? A. I had no such understanding with Mr. Cameron.

Q. Did you know that that was being done? A. No.

Q. You did not attend? A. No .

Q. Did you not promise them that you would attend at North Bay? A. No, at Montreal.

Q. Mr. Knowlton at North Bay stated that you would be back from Montreal at North Bay. Did he swear what was not true? A. I told him that.

Q. What was the cause of your refusing to attend at these meetings? A. I had no cause.

Q. You knew the nature of the evidence which was being given? A. Yes.

Q. You did not desire to attend? A. Not personally.

Q. Mr. Kyle swore that he stated in a letter to Mr. Allan with reference to keeping certain men that were sent out from Montreal, he said that they were forced on him by the officers of the company on account of political reasons. Can you explain why he said that? A. I cannot.

Q. Were there any political reasons to force him? A. Not that I know.

Q. Were any men forced on him for political reasons? A. None that I know of.

Q. So that this letter like some others was very carelessly written? A. If there were any men forced on him for political reasons it was not through me.

Q. These were from Montreal and would have been sent through you? A. Not necessarily.

Q. He said: "Referring to the matter of keeping the men who were sent out from Montreal, I wish you would please arrange to keep all the rest of the men who are with you, as I have seen Mr. Stephens and it seems as though they were rather forced on him by the officials of the company on account of political reasons."

Q. What is the explanation of that letter? A. I have no man, have had no men forced on me through political reasons.

Q. I did not suppose you had, Mr. Stephens, Mr. Kyle, I understand, had authority to appoint engineers and others? A. Yes.

Q. Did you object to his appointing draughtsmen? A. There might be one or two cases.

Q. Do you remember writing him about filling them through his office? A. On account of our having so many applications here we desired, as soon as location surveys were opened to accommodate some of these men here. If we sent men from here during the winter we have to pay fare for them over

the C.P.R. or else exceed our pass reservation over American roads from Chicago to Winnipeg.

Q. Does that apply to transitmen and topographers do you pay for transportation of any of these? A. We possibly have paid for it.

Q. Mr. Kyle stated that you paid nothing to those under engineers? A. I do not think that we did. The usual practice has been when locations are open to have Grand Trunk transportation to Sarnia, then lake transportation to Thunder Bay and then Canadian Northern transportation to Winnipeg.

Q. There were produced some letters from applicants in the United States written to Mr. Kyle some of them written to yourself. Here is a sample one of Mr. H. S. Moreland from Angelica, N.Y. He writes to you:

"Dear Sir,—I have had some correspondence with Mr. Geo. A. Knowlton regarding a position as locating engineer. To-day I received a letter from him stating that he would like to give me the position but his work being mostly on the Government section he is under the necessity of employing Canadians, if it is possible to get them.

"It has occurred to me that the objection to employing men from the United States may not obtain on other divisions of the road, and if so, I should be pleased to accept a position. I can refer you to Mr. Knowlton for my record and references.

"Yours truly, "H. S. MORELAND."

Box 21.

Q. Do you remember that letter? A. I do not remember it.

Q. Do you remember that statement being made that Mr. Knowlton's district was in the Government section? A. Well I have made no difference.

Q. You never made any difference and was that understood? A. No.

Q. Was it spoken of as that? A. I have heard it rumored.

Q. Is that the reason that only two Americans are now in that district, is that purely an accident or not, it was not because it was understood that it was a Government section? A. There was no intention whatever, the reason is that in the west, in Western Canada, there are a great many Americans already and in Eastern Canada, that is middle Canada, there are very few.

Q. Mr. Moreland had written you on the 19th January, 1904, for some position and you wrote him on the 22nd January:

"Dear Sir,—I have yours of the 18th instant applying for a position on the engineering staff of the Grand Trunk Pacific Railway.

"At present I am unable to offer you a position such as you desire, but your application has been placed on file for reference in case it should be possible to utilize your services in the near future.

"Yours truly, "J. R. STEPHENS, Asst. Chief Engineer."

Q. Then do you remember Mr. F. Meredith Jones? A. Yes, sir.

Q. He was a resident of California? A. No, sir, he is a resident of Arizona.

Q. He wrote you from California? A. Yes.

Q. What position did you offer him? A. I wanted to get him as district engineer to look after some locating parties.

Q. He is an American citizen? A. Yes, sir.

Q. And he did not receive your offer in time? A. Something of the kind, or he did not want to come. I think Mr. Dun raised his pay in order to keep him.

Q. Mr. Dun thought that Mr. Jones might get more there? A. Yes.

Q. On the 10th September, 1903, he writes you:

"Dear Sir,—I have just learned that you had sent me an offer of a place through Mr. Dun's office.

"I write to thank you and to say that I hope at some other time to find employment with you.

"I came here with Mr. Storey with promise of two months work only. And I understand that field work cannot be prosecuted here after about Nov. 1. Therefore I may be at liberty in about six weeks."

"Very truly, "C. MEREDITH JONES,
"Permanent address Las Vegas, N.M."

Q. So that apparently he did not receive your offer in time to accept it? A. Yes.

Q. Now you have heard something about Mr. C. F. Gailor? A. I have heard very little about him.

Q. He applied to you? A. While I was away.

Q. Do you know how he came to apply to Mr. Knowlton? A. No, sir.

Q. Through some employment agency in Syracuse, N.Y.? A. I did not know.

Q. You did not know that Mr. Stadly, chief draughtsman at North Bay wrote to that agency and that a large number of applications came into North Bay? A. No, sir.

Q. Well, you have been in Mr. Knowlton's division since then? A. But I did not know that.

Q. Do you not look through their applications? A. Occasionally.

Q. Did you not know that such applications were being made? A. I did not, if I had known that I would have put a stop to it.

Q. Do you know that Mr. Gailor was appointed to succeed Mr. Pim? A. So I understand.

Q. Mr. Pim was discharged? A. Yes.

Q. Had he not given faithful service? A. I think so, he was originally employed by Mr. Kyle.

Q. Do you know why he was discharged? A. Not particularly.

Q. Then Gailor succeeds him, he is an American citizen, do you know that? A. No.

Q. You did not make any enquiry? A. No, sir, I understood he was a Canadian.

Q. You did make enquiry? A. When I was before Your Honour last time the Gailor matter came up and a letter was produced from him in which he certified that he was a Canadian.

Q. Mr. Knowlton wrote a letter which was received by Mr. Gailor and on the 12th April, 1904, he wrote in reply:

"Dear Sir,—Your letter of 5th instant has been received and contents fully noted. In reply will say that although I have been in this part of the country for some time I call my residence at St. Catharines, Ont., so do not consider I am a native of U.S.

"Should this be of any help to you in that line I would be pleased to hear from you further.

"Yours truly, "C. F. GAILOR."

THE COMMISSIONER: Mr. Stephens I will let you stand aside for a few minutes.

Mr. PERCIVAL WALTER ST. GEORGE, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. Percival Walter St. George.

By Mr. MOWAT: Q. You are a civil engineer in practice in Canada? A. I am.

Q. Were you one of the charter members of the Canadian Society of Civil Engineers? A. I was.

Q. Do you know the head office of that society? A. Yes, I do.

Q. Has your engineering practice been general? A. It has.

Q. Were you here this morning when it was mentioned what had been stated by Mr. Stephens as to his endeavors to get Canadian engineers. He was asked this question, under this Commission:

"Did you personally invite any person from the United States to come over? A. Yes, after I had exhausted every effort to get others here.

Q. Because you could not get Canadians to do it? A. Yes."

Q. Have you heard Mr. Stephens' evidence? A. I have some part of it.

Q. What have you to say in regard to these two statements as regards reasonableness or accuracy? A. I cannot tell what he considers as endeavours, or what steps he took to get engineers. I understand he asked information from Mr. McNab or Mr. Tye.

Q. Did he ever ask you? A. I did not know him.

Q. Is it a fact or is it not that there are Canadian engineers of sufficient practice and sufficient ability to man this survey? A. I am sure of it.

Q. It has been shown that the country through which this line is traversing is very rough and hardships have to be undergone. In your opinion as a railway engineer is there any advantage in appointing engineers or surveyors who have been accustomed to the physical conditions of Canada and topographical features over engineers from the United States, who have not had such practice? A. I think so.

Q. In what respect? A. I think in regard to the climate, in regard to the severity of our winter, men who are accustomed to go on snow-shoes, accustomed to be out in cold weather.

Q. Have you heard the list of engineers that was given here to-day? A. Yes, I heard some this morning.

Q. What do you say as to that, do you concur? A. I know some of them. I know a good many engineers who built the Intercolonial Railway of Canada; the C. P. R. was also built by Canadians.

Q. Location as well as construction? A. Location as well as construction.

Q. The surveys we are discussing? A. Certainly.

Q. Is it essential that a location engineer should have a knowledge of construction? A. He ought to have. He has certain rules to carry certain grades, certain curves, it is a very difficult matter sometimes.

By THE COMMISSIONER: Canadian engineers could fill any of these positions? A. I am quite sure, certainly.

Q. And a sufficient number? A. A sufficient number also.

Mr. ERNEST MARCEAU, being sworn.

By THE COMMISSIONER: What is your name in full? A. Ernest Marceau.

By Mr. MOWAT: Mr Marceau, is it a fact that you have been a practising civil engineer for several years? A. Yes.

Q. And now employed? A. As superintending engineer of works on canals in the Province of Quebec.

Q. Government of Quebec? A. No, Government of the Dominion.

Q. Were you in the room when I read to Mr. St. George the evidence that was given by Mr. Stephens? A. No.

Q. Mr. Stephens who is now assistant chief engineer of the Grand Trunk Pacific, in charge of surveys and location work, in his examination before this Commission was asked:

"Did you personally invite any one from the United States to come over? A. Yes, after I had exhausted every effort to get others here. Q. Because you could not get Canadians to do it? A. Yes."

Q. As an engineer who has practised in Canada, can you give me your opinion as to the reasonableness of these statements of Mr. Stephens? A. I think a number of engineers could have been procured in Canada.

Q. The full number? A. I am not prepared to say, I do not know how many they require.

Q. Supposing I tell you this, the principal officers of the staff are, one assistant chief engineer with a salary of $7,500 per annum; three division engineers with $4,000 each, one harbour engineer at $3,600 and three district engineers at $3,000. Out of these, seven are Americans from the United States and one Canadian. Now with your knowledge of engineering work what is your opinion with reference to that statement? A. I think that doubtless a pretty large number of these positions could have been filled by Canadians.

Q. Is it a fact that you are vice-president of the Canadian Society of Civil Engineers? A. Yes, sir.

Q. Do you know Mr. Stephens? A. No.

By Mr. Biggar: Is it not a fact that the best of the Canadian engineers are employed at good salaries? A. I cannot say.

Q. Do you know whether these men could have been obtained? A. I cannot say anything as to that.

Q. Your evidence goes for nothing, do you know or not know whether these men could have been obtained? A. I never gave it a thought.

By The Commissioner: Do you know Mr. Beaudry, civil engineer of Montreal? A. Yes.

Q. He applied for a position, do you know his qualifications? A. I cannot say exactly what his qualifications are as civil engineer, he is a member of the society.

Q. Do you know Mr. Bowden? A. I know one Mr. Bowden, I do not know where he is.

Q. It is the same man, he is an associate member of the society, do you know him? A. I have lost track of Mr. Bowden for a long time, he worked for me. I think he was a very clever young man at that time.

Q. A capable engineer? A. Yes, he was a young man then.

Q. Do you know Mr. Berryman? A. I know very little of him.

Q. Now are you acquainted with Mr. Hanson Greene? A. I know Mr. Greene.

Q. As to his qualifications? A. I am not prepared to say very much as to the qualifications of these gentlemen. I know too little of Mr. Greene to speak of his qualifications.

Q. Do you know Mr. Husenott? A. No.

Q. In Montreal, a civil engineer? A. No.

Q. Do you know Mr. Hibbard? A. No.

Q. Do not know him either? A. No.

Q. Mr. Jodoin, of Montreal? A. I don't know him.

Q. Paul Leclerc? A. I know very little of these gentlemen, know them by name.

Q. Do you know Mr. McConnell? A. Yes, I know him.

Q. And his qualifications are good? A. Yes.

Q. Mr. Emile Normandeau? A. I know him, but do not know as to his record at all.

Q. And Gustave Valois? A. He must be a very young man.

Q. He completed in engineering this year? A. Yes.

The Commissioner: Thank you, Mr. Mareeau.

Mr. William J. Sproule, being sworn:

By THE COMMISSIONER: What is your name in full? A. William J. Sproule.

By Mr. MOWAT: Is it a fact that you are a practising engineer, Mr. Sproule? A. Yes, sir.

Q. For what length of time approximately? A. Nearly thirty years.

Q. And now assistant engineer in charge of the Montreal harbour works? A. Yes, sir.

Q. Were you in the Commission room when I read the statement made formerly by Mr. Stephens saying that he exhausted every effort to get Canadians to take positions on this staff of the Grand Trunk Pacific Railway? A. Yes, sir.

Q. Have you any comment to make? A. I am of the opinion that Canadian engineers could have been obtained to fill these positions at the salaries which I understand were offered.

Q. If you had come here, as Mr. Stephens, with the intention or the desire of getting Canadian engineers for employment on this work how would you have gone about it as an engineer? A. I don't know how I should have acted. If I had come like Mr. Stephens I would probably have acted like him. If I wanted to get Canadian engineers I would have tried to apply to some person and I think to influential engineers or engineers in practice, to the national society or its officers, to engineers not in organized bodies. or to practising engineers who were in positions of responsibility.

Q. Did Mr. Stephens apply to you? A. No.

Q. Did you know him? A. Not until to-day.

Q. Never saw him until to-day? A. No.

Q. As an engineer, as you told me, you have applied yourself to harbour works and construction, as hydrographic engineer I suppose, may I ask you as to the employment of this Mr. Bacon at Port Arthur. Mr. Stephens stated, when asked as to whether it was possible to get any one in Canada to do this work at Port Arthur:

"Well, I think it would be difficult to do so for this reason. When I started here I asked several of the prominent engineers to accept a similar position and they invariably told me they were fully occupied at better wages than we could offer them."

Q. Now Mr. Stephens says he intended that to refer to division engineers. What is your opinion as to whether a hydrographic engineer to ascertain the feasibility of a harbour, say in Lake Superior, could not have been obtained among the Canadian engineers and, if so, will you kindly mention names, the salary being $3,600 per annum? A. I am of the opinion that engineers with experience in hydrographic work could have been obtained. There are a number of engineers who have been working for the Department of Railways and Canals and the Department of Public Works of Canada, on the St. Lawrence and on the harbours of the Great Lakes and all that sort of work. There are a large number in Canada and it is my opinion that competent men could have been obtained among these men. I cannot mention from memory a great many names. I think there are a great number of names, I cannot remember names. I speak in a general way.

Q. You think they would have been tempted by the salary, what I mean to say is that considering the prices obtaining in your profession $3,600 is a good salary? A. It would depend on other circumstances, the length and nature of the engagement. I do not think it would be considered a large salary for three months to give up a permanent position even at a lower price.

Q. Not to give up a permanency, if I were to tell you that Mr. Bacon had been employed since the summer of last year and is still employed? A. A position that is likely to become permanent and at that salary I am con-

vinced a large number of Canadian engineers would be willing to take it.

Q. Engineers with experience? A. Sufficient experience so far as I know of the nature of the work.

Q. Practically all your work here keeps you in touch with hydrographic engineering? A. In a general way it does.

By Mr. Beckett: Have you been thirty years in hydrographic work? A. Roughly speaking with some short intervals. It is thirty years since I started engineering and since about 27 years I have been on hydrographic work all of the time, railway part of the time and canals.

Q. What railway work have you been in? A. I was engineer in charge of a party on the Southern Pennsylvania Railway near Pittsburg.

Q. Were you ever engaged in Canada on railway work? A. In the Rocky Mountains on the C. P. R., location and construction.

Q. Did that tear you from the States back to Canada when you went out there to work? A. No, I came back of my own accord.

Q. Mr. Sproule, you would not think of leaving your position for a three months job? A. Not for a three months job.

Q. Do you know Mr. Tye? A. Not personally acquainted with him, have seen his name in connection with the society.

Q. You know of him? A. Yes.

Q. You know Mr. McNab? A. Yes.

Q. Now then, if information was sought from either of these gentlemen do you think they would be competent to give information in respect to Canadian engineers? A. They ought to be able to give a good deal of information with respect to them.

Q. When you stated that you thought that a number of hydrographic engineers could be obtained at the figure of $3,600 a year, did you mean to say that you could get them for a short period or as permanent? A. Well. I expect men of considerable experience would not accept a local experience of three months in exchange for any important position they held, but from my knowledge of the profession in Canada I am convinced that engineers not in position would be willing to go for three months at that salary because I do not think they have all satisfactory engagements in Canada.

Q. Mr. Sproule, do you know any one better than Mr. Tye, Mr. McNab or the secretary of the Canadian Society of Civil Engineers to whom application might be made concerning employment? A. I cannot say that I know any better, there are a good many engineers who should know them.

Q. They are in a position to know a good number? A. They are of undoubted standing and well known in the profession.

By The Commissioner: Would Mr. Hobson be quite capable of judging? A. He should certainly, he has had longer experience than either of these men and has been in a permanent position.

Q. Mr. Schreiber? A. Certainly, I think so.

By Mr. Mowat: Are you a graduate of McGill College A. Yes.

Q. What year? A. 1877.

Q. Do you know any graduates of the civil engineering course in McGill College who last year were available for positions as transitmen, levelmen,—transitmen are being paid $100, and $75 per month for levelmen, —draughtsmen and topographers? A. I am of the opinion that there are always available graduates at the present time. About two or three years ago there was a short time when all engineers could get employment, but I believe at the present time that graduates of McGill could be obtained for such positions.

Q. Have you got any McGill men on your works or in your office? A. There has been for some time an under-graduate, a man in his second year, who has come into the office to work in order to get experience. He

is a young man of very exceptional ability and is working down there for nothing.

Q. For nothing, for experience? A. Yes.

Q. Are you in a position to say that a salary of $75 or $100 a month would have tempted him? A. Oh, yes.

By Mr. BIGGAR: I suppose he is going back to the university when it opens? A. He is undecided to go back.

Q. Would you think it very good practice to get men from the college to go on the Grand Trunk Pacific in the summer until the month of October and have him come back, pay his expenses to the party and back. Would an engineer be wise to take any man with him for a short time? A. It would be desirable if he could get permanent men.

Mr. JOSEPH ALPHONSE U. BEAUDRY, being sworn:

By THE COMMISSIONER: What is your name in full? A. Joseph Alphonse U. Beaudry.

By Mr. MOWAT: Are you a civil engineer who has been practising in Canada for some time? A. I am.

Q. For how long, Mr. Beaudry? A. About 40, no 42 years.

Q. As much as that, have you been in the room when this evidence has been taken? A. I was not.

Q. When did you come in, just a minute ago? A. Just a minute ago.

Q. Well, I will read to you the statement made by Mr. Stephens the chief engineer in charge of location on the Grand Trunk Pacific. He was examined under this Commission and he was asked:

"Did you personally invite any one from the United States to come over? A. Yes, after I had exhausted every effort to get others here. Q. Because you could not get Canadians to do it? A. Yes."

Q. What comment have you to make upon these questions?

By Mr. BIGGAR: I think it is only fair that my learned friend should give Mr. Stephens' evidence of to-day. He gave as evidence the request he made of Mr. Tye, Mr. McNab and others.

By Mr. MOWAT: Mr. Stephens says that the efforts which he speaks of here were asking Mr. Tye, Mr. McNab and others whose names he could not recall now. With that addition what comment have you to make upon the statement? A. Well, nothing particular. I made application to Mr. Hobson to take charge of exploring parties on the 4th November last and on the day following I received an answer stating that my application had been transferred to Mr. Stephens. This is the first and last of the whole transaction.

Q. Never heard from him? A. Never heard from him.

Q. What is your experience in railway work? A. Oh, I first began by valuating property from Montreal to St. Sauveur on the Montreal Northern Colonization Railway, locating from Ste. Therese to—

Q. On what line of railway? A. On the now C. P. R.

Q. What length? A. I cannot remember it was so long ago.

Q. From Ste. Therese? A. It does not matter much.

Q. What length of line? A. I do not remember.

Q. Then? A. Then I located the same line.

Q. Exploration first and then location? A. Yes.

Q. What other lines besides that? A. That is all.

Q. What have you been engaged in for the past few years? A. For the last few years waterworks, canals, bridges and other local works here.

Q. Are you a competent surveyor? A. I should imagine so.

Q. What position do you consider yourself capable of filling? A. Chief of exploring parties and locating parties.

By Mr. Biggar: Have you ever been in that section of the country? A. Yes, I have been there but not in an official capacity.

Q. You have never travelled over the line from North Bay to Winnipeg? A. Not from this city.

Q. You do not know that section? A. Yes.

Q. What is your age? A. 62.

Q. You do not remember the length of that line you located some time ago? A. I do not remember.

Q. You do not remember from what places it ran? A. I started from Ste. Rose to Ste. Therese past St. Andrews.

Q. Would you say that you are competent to go out into the woods on locating a line now at your age? A. Why not.

By The Commissioner: Who is your partner? A. I have no partner.

Q. Is there not a young man with you? A. No.

Q. Do you know Mr. Zeph. Malhiot? A. The patent solicitor?

Q. Malhiot, of Winnipeg, a civil engineer? A. I do not.

Mr. Edgar Berryman, being sworn:

By The Commissioner: What is your name in full? A. Edgar Berryman.

By Mr. Mowat: Are you a practising civil engineer? A. Yes.

Q. How long have you been? A. Since 1870.

Q. I understand you have not been enjoying very good health recently? A. For the last two or three years I have been very much under the weather.

Q. You applied for employment on the Grand Trunk Pacific? A. Previous to that.

Q. In view of that fact what do you consider yourself capable of doing? A. Exploration, charge of party.

Q. What are your achievements in practice of the profession? A. I have been in the same capacity on the G.T.R., C.P.R., on the Quebec Northern and other places.

Q. Are you a member of the Canadian Society of Civil Engineers? A. Yes.

Q. What answer did you get to your application? A. I never got any.

Q. None at all? A. No.

By Mr. Beckett: Q. When did you make the application? A. In November, 1902, I think it was.

Q. What railway experience have you had Mr. Berryman? A. I have had exploration, location and construction on the railways.

Q. In the Province of Quebec? A. Quebec and Ontario.

Q. How far west in Ontario? A. West up into Manitoba.

Q. And on the prairies? A. On the prairies.

Q. Have you had anything to do with the mountains in the west? A. Not to call it very much.

Q. Were you east of Winnipeg? A. West of Winnipeg.

Q. On the prairies? A. On the prairies.

Q. Have you been a civil engineer since 1870, what is your age? A. 65.

Q. Then this work that you were on, this railway work of which you have spoken was it locating work? A. Yes.

Q. All locating? A. Well there has been location and construction and all the different parts of the work.

Q. You have had experience in all of them? A. The whole thing, yes, from start to finish.

Q. How long ago was this? A. Well on the Quebec Central from 1889 to 1896.

Q. Was that the last one? A. That was the last before the C.P.R.

Q. Where? A. In Manitoba.

Q. When was that? A. That was in 1896 and 1898.

Q. That was the last work? A. I think that was about the last.

Q. Did I understand you to say that you were on the Quebec Northern? A. Yes.

Q. Was that under contractors Bowen and Woodward? A. No, it was after they had left.

Q. Bowen and Woodward turned the road over to the company? A. I think they had, they were not working there I know that year. It was 1889 or 1890 that I commenced there.

Q. That was about 1887 or 1888? A. In 1889 I commenced there.

Q. It was in 1889.

By Mr. Biggar: Q. Is it not a fact that you were at Mr. Stephens office several times? A. Just to ask him.

Q. For explanations as to why you had not been replied to, you stated you had received no reply? A. They stated that when they wanted me they would send for me.

Q. You were there how many times? A. Twice, I think.

Q. I am told you called there nearly every day? A. Not that often.

Q. I think you saw Mr. Mellen and he explained to you that your application had been received and if they wanted your services they would let you know, you also told them you were 65 and not in good health.

By Mr. Mowat: Q. The Grand Trunk Pacific employed Mr. William Mann as assistant engineer in charge. Mr. Mann said he was 69. Do you know him? A. Yes.

Q. Is he a competent engineer? A. Well I think he did very good work.

Q. Would you put your capacities below those of Mr. Mann? A. I do not know I was quite satisfied with what he did.

Q. So that the dead line is not when a man is past 60? A. I hope not.

By The Commissioner: Q. Who is your partner? A. I have none.

Q. I think Mr. Brault? A. He is my assistant.

Q. I understand he applied for a position? A. He told me so yesterday.

Q. How old is he? A. I think he is about 30.

Q. What experience has [illegible] A. That I cannot tell.

Q. Is he a civil engineer? A. I believe so.

Q. Do you know where he has worked? A. No, except that he has been working on the C.P.R., in the east.

Q. As what? A. I think laying out work generally.

Q. Hillman is engineer? A. Yes.

Q. He is your assistant at present? A. Yes.

Mr. Brian D. McConnell, being sworn:

By The Commissioner: Q. What is your name in full? A. Brian D. McConnell.

By Mr. Mowat: Q. Have you been practising as civil engineer for a number of years? A. Yes.

Q. How long? A. About 40 years.

Q. Are you a charter member of the Canadian Society of Civil Engineers? A. No.

Q. You became a member in 1887? A. Yes.

Q. Were you in the room when the answers of Mr. Stephens were read together with his explanation as to having seen Mr. Tye and Mr. McNab? A. Yes.

Q. What comments have you to make as an engineer of forty years practice in Canada upon these statements A. The statement as to his having seen Mr. Tye?

Q. The statement as to his having exhausted every effort to get others here and that he could not get Canadians to do the work? A. I believe that Canadians could have been got to do the work, that is my impression.

Q. What kind of Canadians? A. Canadian engineers.

Q. What standing in their profession supposing that their salaries were $7,500, $4,000, $3,600 or $3,000 a year? A. Do you wish me to give names?

A. No, I wish you to make a general comment? A. I think that any one of the Canadian engineers might have been got for chief engineer at that salary, who were capable of holding the position.

Q. Would you mind giving me names? A. Two names I think of are James Shanly and John Kennedy.

Q. Possibly including Mr. Armstrong in that? A. Mr. Armstrong, yes, of course I don't know whether Mr. Armstrong would be availible or not.

Q. Now perhaps you will give us those names of others who might take the positions of division or district engineers, have you got a little list there? A. Yes, of all the men I think could hold that position or the position of division engineer. (Reads from list.) G. H. Massey, Armstrong, Fowler, G. A. Mountain.

Q. You have already given us Mr. Armstrong and you now give us Mr. Massey as chief engineer? A. I know that he is fitted for chief engineer, Mr. Armstrong if fitted for chief engineer would be fitted for district engineer. John Kennedy, St. George. I have the name of Paterson here, he would be fitted for chief. Charles Gauvreau, Macklin, Garden.

By The Commissioner: Q. Which Garden? A. I don't know which he was on the Intercolonial Railway on construction.

By Mr. Mowat: Q. What would his name be, G. H.? I am not certain I do not know him very well. Many of these I do not know personally, know them by reputation. H. F. McLeod, E. B. Johnston, Sproule, Donkin, Ruttan, Henry Irving.

By The Commissioner: Q. Do you know John Irving? A. No. H. Duggan, S. Howard, Geo. Keefer. These I think are all the names.

By Mr. Beckett: Q. These are division engineers? A. I believe these are competent to fill—

Q. Are competent to take the place of division engineer? A. Yes, I think so.

By Mr. Mowat: Q. With a salary of $4,000 would the position of division engineer, considering the emoluments obtaining in your profession, be a tempting one or otherwise? A. I think it would be tempting.

Q. Is that above the rate of pay of ordinary positions? A. Of ordinary positions.

Q. That is of division engineers on other lines? A. Division engineers on other lines are differently arranged, district engineer is ordinarily above division engineer.

Q. Though called a district engineer those who visit a division administer from their offices? A. I think that it seems a good salary for division engineers.

Q. Do you know of any higher having been paid? A. No.

Q. Have you yourself been a division engineer, Mr. McConnell, or district, anything corresponding to this division engineer? A. I have been division engineer. I had nothing like that salary years ago.

Q. On what line? A. The Wellington, Grey and Bruce Railway.

Q. No other? A. Well I was division engineer or engineer in charge of a party, that was the same as division engineer in those times on the C.P.R. topographic surveys.

Q. In 1880? A. In the '70's.

Q. Through what part of the country? A. North of Lake Superior.

Q. Is it or is it not in your opinion any advantage to have a previous knowledge of the physical condition of the country through which a line is to go, climatic changes or topographical conditions? A. Yes, I think it is an advantage that engineers should have such knowledge.

Q. You yourself announced that you were available for employment on this railway? A. I sent an application in.

Q. What reply did you get? A. I sent both a verbal and written application. My verbal application was made first, I saw Mr. Stephens and made a verbal application to him. My impression was that he told me to send in a written application and it would be considered. I sent in a written application also and got no reply.

Q. And have not heard from them since in the matter? A. Not on that matter.

By Mr. Beckett: What position did you apply for? A. I did not mention any position.

Q. Those engineers whom you have named, as, in your opinion, being sufficiently well versed in their profession to take the position of chief engineer and also division engineers, do you consider that they had 800 miles of line under them, would that make any difference, division engineers? A. I heard that they had 800.

Q. Is it not the fact that the ordinary division engineer has about 100 miles? A. I do not think that it is less than that. I have seen division engineers on maintenance of way with as long stretches and in construction.

Q. A division engineer heretofore, as I understand the position has been in charge of perhaps 25 or 30 miles. Now if he had 800 miles would that make any difference in your statement that the men you have mentioned are sufficiently competent to take charge? A. When I mentioned the names I knew that a division engineer, in the case under consideration, has something like 800 miles. I heard that here this morning.

Q. Still would they make any difference in the salary? A. In the salary?

Q. If they had 25, 30, 100 or 800 miles? A. Yes, I should say if they had charge of 800 miles they should receive more.

Q. They would be entitled to more? A. Yes.

Q. If they were competent to take that position they would be entitled to more than from 30 to 100 miles? A. Yes.

Q. What is a division engineer's salary on locating work, according to your experience? A. A division engineer on locating work, that is a man in charge of a party?

By The Commissioner to Mr. McConnell: You are getting mixed up in the terms. What is termed on this line as an assistant engineer is an engineer in charge of a party of about twenty men, a district engineer looks after 4, 5, 6 or 7 parties in the field, then there is the division engineer who is in his office directing everything.

By Mr. Beckett to Mr. McConnell: What is a division engineer's salary on locating work, according to your experience? A. A division engineer corresponds, as I understand, to what was a district engineer and a district engineer I think on the Intercolonial got $3,000 a year.

Q. What mileage did he have? A. He had about perhaps 250 miles, I cannot say positively.

Q. Was that below the Restigouche River going down? A. Up on the St. Lawrence and from there down to above the Restigouche.

Q. That would be from Rivière du Loup? A. I do not remember the name of the place where his district ended, somewhere at Metapedia.

Q. Is it not a fact that it began in the open easy country and ended in the mountains? A. Ended in the mountains.

Q. Yes, not very great mountains but some? A. Ended in the Metapedia Valley.

Q. There is little mountain between? A. Yes.

Q. Very little, an open and free country? A. Yes, I believe so.

Q. Have you any knowledge of the country west of Winnipeg? A. West of Winnipeg, I have. I have been far west of Winnipeg, as far as Brandon.

Q. What is your age, Mr. McConnell? A. 78, no I wish to correct that, 68.

By Mr. Mowat: Then you are just one year younger than Mr. William Mann, who was employed upon the Grand Trunk Pacific and whom they say did excellent work. Do you know him? A. I don't know him, William Mann?

Q. Yes. A. I did know an engineer of that name several years ago.

Mr. Mowat called out the names of Mr. Black, Mr. Carry and Mr. Hibbard but they were not present.

Mr. J. R. Stephens, recalled:

By The Commissioner: I was reading a letter from Mr. Gailor to Mr. Knowlton when we were interrupted. In that letter he says "although I have been in this part of the country (New York) for some time I call my residence at St. Catharines, Ont., so do not consider I am a native of the U. S."

"Should this be of any help to you in that line I would be pleased to hear from you further."

Q. Mr. Knowlton stated it was upon that he employed Mr. Gailor supposing him to be a Canadian. He afterwards ascertained he was an American through Mr. Hannington and he informed me that he would have him dismissed at once because he had deceived him? A. I have no knowledge of that, your Honour.

Q. I suppose not. I do not think there is any doubt of that.

Q. Mr. Van Arsdol was a very competent engineer A. I think he is one of the best in that particular line.

Q. As a division engineer? A. As a locating engineer as a division engineer in charge of location.

Q. Then did you agree with his report on Mr. W. E. Mann dated the 25th May, 1904? A. No, I interfered after my talk with Mr. Kyle.

Q. Did you agree with his report at the time? A. I could not do anything else, I had to endorse him.

Q. Afterwards you saw Mr. Mann with Mr. Kyle in Winnipeg? A. Yes.

Q. Do you know who succeeded Mr. Mann? A. Mr. Going.

Q. He had been an American? A. Mr. Going. I think he was born in Portland, but married a British Columbian lady and so preferred leaving to become a British subject.

Q. How is it you came to advance Mr. Mann's salary from $150 to $175? A. I thought from the testimonials I heard that his services were worth more than what we had paid him before.

Q. You set aside Mr. Van Arsdol's report? A. Yes, I ignored that, I thought it might be a personal difficulty between the two.

Q. Did Mr. Van Arsdol report on any others adversely? A. I do not think so.

Q. Did you receive a report from him with reference to Mr. Hislop? A. Yes, he asked for an engineer to relieve Mr. Hislop. I do not remember that he made any personal report.

Q. You do not remember any personal report? A. I think he asked for an engineer to relieve him.

Q. I produce a report from Mr. Van Arsdol of the 2nd June, 1904, will you look at it? A. I do not remember this letter.

Mr. MELLEN, interrupting: Yes, that was received while you were away.

By THE COMMISSIONER: The report reads as follows:—

"Edmonton, June 2, 1904.

"Mr. J. R. Stephens,
"Assistant Chief Engineer,
"Montreal. Que.

"Dear Sir,—Mr. J. Hislop, who is in charge of party No. 14 as assistant engineer, has proved to be incompetent, and there does not seem to be any hope of improvement, and I desire to place another man in charge of that party. I have had some communication with Mr. F. C. Bodwell, brother of Mr. E. W. Bodwell, with a view of placing him in charge of the party and relieving Mr. Hislop, but Mr. Bodwell states that he has not had sufficient experience to take charge of a party.

"If you have a good man for that place, who is available, I will be glad if you will advise me and arrange to have him report as soon as possible.

"I have had an application recently from H. C. Brice, who is now employed with the Alberta Coal and Railway Company. Mr. McNeill is acquainted with Mr. Brice and states that he is satisfied that he is thoroughly competent to do the work.

"I will await your answer before employing anyone for the position.

"Yours truly,
"C. C. VAN ARSDOL, Division Engineer."

Q. You were up there two or three days afterwards, did you speak to Van Arsdol about this matter? A. No, he did not talk about Mr. Hislop.

Q. In Mr. Hislop's position, Mr. McNeill was recommending H. C. Brice, do you know Mr. H. C. Brice? A. Personally I do not.

Q. Know nothing about him? A. No, I do not know him.

Q. Know he is an American? A. No.

Q. Would you be surprised to hear that Mr. McNeill says he is an American citizen? A. He did not speak to me.

Q. If Mr. Hislop was relieved Mr. Brice was to replace him? A. Mr. Brice was employed at the time with the Alberta Coal and Railway Company.

Q. That is in Canada? A. That is in Canada.

Q. And was an American citizen? A. I don't know him.

Q. That is something new for you. When going over these letters I found the application of Mr. Sesser, of Michigan, which was made to you through Mr. McGuigan. Will you look at that correspondence which has taken place between you, Mr. McGuigan and Mr. Sesser? A. (Looks at correspondence.) I think that correspondence is all right, your Honour.

Q. Mr. McGuigan recommended the appointment of Mr. Sesser to you? A. I have no personal recollection of that.

Q. Mr. Sesser is an American? A. I have no personal recollection of that matter.

Q. You knew Mr. Mayer who was in charge of a party under Mr. Kyle? A. Yes.

Q. He was relieved of his party? A. He resigned.

Q. Do you know the reasons why he resigned? A. I never could find out.

Q. You could not find out on account of the fact that that gentleman's complaint was cold feet. He could not stand the climate. A. I think he did not get along very well with Mr. Kyle.

Q. In his letter to you, dated the 29th February, 1904, from Portland, Oregon, he says:—

"Dear Sir —Beg to acknowledge receipt of transportation from Winnipeg to Portland, O. Many thanks."

Q. That is when he was going back, you gave him transportation home.

"Will I be barred from filing an application with you for a position when this cold weather lets up.

"If as Mr. Kyle says, I cannot be successful as assistant engineer on account of ill-treatment of my men, I am willing to take a position as transitman.

"Yours truly,
"WM. MAYER, Portland, Or., U. S."

Q. You remember seeing that letter? A. Yes.

Q. Then you wrote to Mr. Van Arsdol on the 3rd March, 1904, asking for his re-appointment? A. Yes, I considered him a very good man.

Q. Although his men would not remain? A. Well, I did not intend to use him in that capacity.

Q. His transitman stated he never left camp? A. I never found that to be true.

Q. Although sworn to by the transitman? A. I do not know because—

Q. I believe that transitman. Mr. Kyle says he is a Canadian and a competent man and capable of taking charge? A. Well, I never knew that or I would not have recommended Mayer.

Q. That was stated by Mr. McVicar, do you know Mr. McVicar? A. No, I do not.

Q. Now you wrote to Mr. Van Arsdol on the 3rd of March, 1904, as follows:—

"Dear Sir,—I enclose you herewith a letter from William Mayer. As you perhaps know, Mr. Mayer has been engaged as assistant engineer for the past year, having worked on the Transcontinental West Division, and then on Prairie East Division in charge of party No. 12; but he resigned owing to the extremely cold weather on the prairie.

"I have written him that I have referred his letter to you, and also told him that I have no objection to your giving him a position on the west end in case you should require an engineer for one of your parties.

"Yours truly,
" J. R. STEPHENS, Asst. Chief Engineer."

"P.S.—Mayer is a good man in the mountains, but his men seem to think that he works too hard. J.R.S."

A. He was a very hard worker.

Q. He had to leave on account of cold feet? A. I think he resigned on account of a difficulty with Kyle.

Q. Is not your letter true? A. That was the statement he made.

Q. No, it is not, here it is, he resigned owing to the extremely cold weather? A. He may have complained to me.

Q. It costs a considerable sum to take out a man and bring in a man in his place? A. Yes.

Q. Have you had to bring out Canadians on account of cold weather? A. Not to my knowledge.

Q. We had some evidence before, Mr. Stephens, with reference to Mr. Callaghan, who is in charge of party No. 17? A. Who is it?

Q. Mr. Callaghan, you appointed him yourself? A. I don't know, I may have advised his appointment.

Q. Yes, you advised his appointment, you wrote to Mr. Van Arsdol? A. I do not know him personally at all.

Q. You know he is an American citizen? A. I believe he is.

Q. You know his transitman, Douglas Kyle? A. I do not.

Q. He is a brother of Geo. A. Kyle and also an American citizen.

Q. You know Mr. Nichoson, draughtsman, he was in the Edmonton head office? A. I did not know, though I met him there.

Q. Mr. Van Arsdol stated he was also an American, he is on that party? A. I don't know Mr. Nichoson.

Q. You received a letter from Mr. Callaghan on the 11th January, 1904, and forwarded it to Mr. Van Arsdol on the 13th of that month, you remember that, Mr. Stephens? A. No, I do not.

Q. Here is your letter itself? A. I don't remember that, I think I remember writing that letter but this is not my signature.

Q. Here is a letter you wrote? A. Yes, March 11th, 1903.

Q. That other letter was written by Mr. Mellen? A. Yes.

Q. He is your chief clerk? A. Yes.

Q. At that very same date or almost then, January 11th, 1904, Mr. John Irvine, civil engineer, wrote Mr. Van Arsdol for a position from Harriston, Ontario? A. What was the date?

Q. The other was dated 13th of January, 1904. A. The one I wrote was in 1903. That is the one I wrote, not 1904.

Q. He had applied before that? A. Yes, then I wrote this in 1903.

Q. And he wrote again on the 11th January, 1904, seeking a position as engineer in charge giving his qualifications showing him to be a competent man, but he was a Canadian and Mr. Van Arsdol appointed Mr. Callaghan in preference to Mr. Irvine, did he not? A. I do not think that Mr. Irvine was what he says:—

"Graduated from the School of Practical Science of Toronto in 1889. During summer of '89 worked as chairman on sub-division work in N. W. Territory. In 1890, '91 and '92 I worked on the Western Division of the Can. Pacific Railway as picketman and rodman on location, construction and maintenance of way. In 1893 I was assistant engineer on maintenance of way on the Western Division C.P.R. In 1894 I located section of the Irondale, Bancroft and Ottawa Railway. In 1895 I worked on construction on the Tilsonburg, Lake Erie and Pacific Railway. In 1896, '97 and part of '98 I was assistant engineer on maintenance of way on Western Division C. P. R. and the rest of 1898 up to January, 1902, I was assistant engineer on construction of the Ontario and Rainy River Railway. From July, 1902, to January, 1903, I was assistant engineer on maintenance of way on the Pacific Division of C. P. R. and March 1st to June 15th, 1903, I was employed as transitman on location of Trans-Canada Railway eastward from Port Simpson. For the last six weeks of the work I had charge of the location of the line which was in difficult ground. Mr. A. E. Hill, of New Westminster, B. C., was in charge of the work."

Q. He had good references, Mr. Busteed, of the C. P. R., Winnipeg, and others with whom he worked. Now do you know why Mr. Van Arsdol employed Mr. Callaghan in preference to Irvine? A. No, sir, I do not.

Q. Was it because of your recommendation? A. I do not know I ever gave Mr. Callaghan a recommendation. I did not know him personally and I do not think I know Mr. Irvine.

Q. You knew that Mr. Callaghan was an American and Mr. Irvine was a Canadian and the American obtained the position. (No answer.)

Q. Now there is Mr. A. O'Meara, of Victoria, B. C. Even Sir Charles Rivers Wilson's intercession was of no avail. Do you remember? A. We were not doing any work out there.

Q. How far is Mr. Sprague from British Columbia? A. About pretty near the boundary.

Q. He has only gone there within the last few months? A. One or two months.

Q. On the 28th October, 1903, Sir Charles writes to Mr. Hays:

"Grand Trunk Railway Company of Canada,
"Dashwood House,
9 New Broad Street,
"London, E. C., 28 Oct., 1903.

"My dear Mr. Hays,—I have received the enclosed from Mr. Philip Waterlow and shall be much obliged if you will kindly note Mr. O'Meara for employment on the Grand Trunk Pacific at the proper time, provided, of course, you are satisfied, upon enquiry, as to his qualifications and antecedents. Sincerely yours,

"C. RIVERS WILSON."

Q. Yet you have not employed Mr. O'Meara? A. If he is not on the pay-roll he is not employed.

Q. Now, Mr. Morse, third vice-president, recommended Mr. D. O. Lewis for employment, do you remember Mr. Lewis? A. Not personally.

Q. He is a member of the Canadian Society? A. I do not know him personally. I may have met him, I do not recollect.

Q. As far back as September, 1903, Mr. Morse wrote you? A. I do not recollect seeing the letter, I may have seen it.

Q. Here is the letter written to you by Mr. Morse:

"Montreal, Que., Sept. 24th, 1903.

"Mr. J. R. Stephens,
"Assistant Chief Engineer,

"Dear Sir,—Mr. D. O. Lewis has just presented me with a letter of introduction from Mr. Marpole. Mr. Lewis has been resident engineer for the Canadian Pacific at Revelstoke for two years and up to the time of leaving had been with the company seventeen years. He resigns from the Canadian Pacific for personal reasons. I would be glad if you will, after talking with Mr. Lewis, advise whether or not you will be able to avail of his services as he is desirous of entering the ranks of the Grand Trunk Pacific.

"Yours truly,
"FRANK W. MORSE, Third Vice President.

Q. Mr .McGuigan forwarded Mr. Lewis' application to you. Here is his letter forwarding it and you referred it to Mr. Van Arsdol? A. Yes, that is my signature.

Q. Did you make any enquiry as to his qualifications? A. No, sir, none that I remember. I usually asked the Canadian Society people directly or indirectly as I stated before in regard to these applications.

Q. Mr. Sprague, of the States, was appointed first as transitman? A. I remember Mr. D. D. Sprague.

Q. I understand he was first appointed as transitman and then Van Arsdol promoted him to be assistant engineer in charge of party No. 18? A. Yes, sir.

Q. He was an American? A. I think so.

Q. Did you promote any Canadian transitman to the position of assistant engineer? A. I have not promoted any one, the only promotion I have made, as I testified, I promoted Kelliher and Hannington.

Q. Not a transitman to be an assistant? A. These are the only cases I have taken action in.

Q. At our last examination, Mr. Stephens, you stated that you had offered Mr. Paterson a position on the line which he refused to accept. Now I have received this letter from Mr. Paterson's brother stating that no position was offered? A. I think we have some correspondence which I wrote him and offered him a position which he declined.

Q. That was not the statement you made before, Mr. Stephens, Mr. Paterson came down to Montreal? A. I have got the wrong man in my mind.

Q. Then that is your explanation? A. That is all I have to say, I may have the wrong name in my mind.

Q. What you stated was that it was a verbal offer, not by correspondence. You did not make any verbal promise or verbal offer to either of the Mr. Patersons? A. Not to my recollection.

Q. Have you any letter or telegram to show that you made a written offer to either? A. I think so, if I have written him it will be in my office.

Q. There are two Paterson's, John A. and James A., which was it? A. I cannot recollect.

Q. I have all the correspondence here about Mr. Paterson, perhaps it may bring back to your memory. A. (Looking through correspondence.) Yes, that is the same man, his brother was the one I think I met.

Q. They both say you made no offer to them of any position? A. I think I did.

Q. They state positively that you did not? A. I think I offered them by telegram, I have every one of the papers.

Q. You stated it was done verbally? A. I think I offered by telegram.

Q. To whom did you send it? A. To one of these gentlemen.

Q. Both say they have no offer? A. Where are they now?

Q. One in Toronto and one on the other side? A. Before I answer this I would like to look up and see about the telegram.

Q. They stated they never received any offer whatever. Mr. James A. Paterson is on the other side and wishing to return to his own country, is desirous of getting a position? A. One of these men, I think it is the first man who called, I was desirous of getting—

Q. There is only one who ever called on you, John A. Paterson of Toronto? A. Well I have got the wrong man.

Q. Senator Cox wrote to you about Mr. Jas. A. Paterson and Mr. Hobson recommended him? A. I did not have these gentlemen in mind. If it was not the engineer who called on me I do not remember.

Q. Here is a letter from Mr. Knowlton with reference to Mr. C. R. Boucher, as to his personal habits and also a letter to you stating that Mr. Nelson was a very competent man. Do you remember when Mr. Boucher was relieved from his position? A. I do not remember. Mr. Knowlton reports that—

Q. Mr. Knowlton reports that for reasons set forth, that letter is dated the 22nd December, 1903.

Q. Do you remember Mr. Nelson as transitman? He was an American? A. I do not know that.

Q. He was appointed in Mr. Boucher's place? A. I knew that.

Q. He has since been dismissed for misconduct? A. I did not know that.

Q. That was reported? Mr Knowlton reported to you about Haycock, there is the correspondence? A. (Reads letters). These reports are put in. There is a letter as to Haycock of November 20th, 1903; as to Mr. Boucher, December 22nd, 1903, and as to Nelson on December 28th, 1903.

Q. Mr. Boucher has written me a letter and wishes the matter explained as to his discharge. I am going to give him an opportunity, when I will hold a session in Toronto, of stating wherein he considers himself unfairly dealt with and also any others who may consider themselves aggrieved.

Q. Do you know Mr. H. F. McLeod of Ottawa? A. I do not think I do.

Q. Do you know Mr. Taylor, North Bay branch, party No. 1? A. I don't know him.

Q. Who employed Mr. Taylor? A. Mr. Knowlton.

Q. He is an American? A. I think so.

Q. He was retuned as an American? A. I think so.

Q. Then in your return to Mr. Hayes answering the application of the Government as to the number of American citizens, you stated that Mr. Kyle was an American and had charge of British surveys in South Africa? A. I think that Mr. Mullen made that report.

Q. Well you signed it? A. I probably did.

Q. But was that a fact that Mr. Kyle was in South Africa? A. Yes.

Q. You were there also? A. Yes.

Q. As engineer? A. Yes.

Q. I understand you were there in connection with the Jamieson raid? A. I decline to answer.

Q. You refuse to state whether you were or not? A. I decline to answer.

Q. Is it true that you stated you were? A. I decline to answer.

Q. Is it true you stated you were? A. As I said before I decline to answer.

Q. When did you leave South Africa? A. I decline to answer.

Q. Were you compelled to leave? A. I decline to answer.

Q. When did you leave South Africa? A. In March or April, 1896.

Q. Were you locating railways there? A. No, sir.

Q. What were you doing there? A. Mining.

Q. Any difficulty with Kruger in consequence of your mining activity? A. I decline to answer.

Q. Mr. Mellen was there too? A. Yes, sir.

Q. Was he with you? A. No, sir.

Q. Was Mr. Kyle with you? A. Yes, sir.

Q. In the same party, in the same work? A. In the same work.

Q. Did he come away with you? A. No.

Q. Before you? A. Left after me.

Q. Did you authorize Mr. Mellen to offer a position to his brother? A. Yes, sir.

Q. His brother being in the United States at the time? A. I beg your pardon.

Q. His brother was in the States at the time? A. Yes, sir.

Q. And in consequence of that offer he came here? A. Well there was some misunderstanding about that, he did not come here to accept a position.

Q. In consequence of that offer he came? A. Yes.

Q. And after two or three days you gave him a position? A. Yes.

Q. It was for the purpose of getting a position that he came here? A. I think Mr. Mellen can explain that better than I can. I had disposed to give him a position but when he came—

Q. Now he swore he was to get a position and he was disappointed in not getting a position at once? A. There may be something in that. I do not claim that I did not want to give him a position or did not send for him?

Q. Because you sent for him? A. Yes.

Q. He was only two or three days without employment? A. Yes.

Q. You then employed him in your office? A. For a few days.

Q. And sent him out to Van Arsdol? A. Yes.

Q. Now I wish to get the letters in reference to Mr. Paterson and any others you may have. Have you Mr. Bacon's record? A. I do not think he has any record unless it is his professional, his official record.

By Mr. BIGGAR: Q. There are two or three cases, one was in regard to Mr. Hillman, I think you settled to give him a position when he came to your office? A. He came to my office one morning, but I understood it was to see Mr. Hobson.

Q. Was he the man Mr. Hobson spoke to you about, did you know who he was? A. I had a conversation with Mr. Hobson but did not understand Mr. Hobson to mean that he was coming down in search of employment, he talked of him as if he was an old personal friend.

Q. When you saw him you knew he was the man Mr. Hobson had been speaking about? A. Yes.

Q. There was something said about that man Brice, he is not engaged, Hislop was not discharged, he is still with the company. A. Yes. Mr. Brice was not engaged.

Q. Do you remember Mr. Pim spoken of in connection with Mr. Hannington and Mr. Knowlton? A. Yes, I think so.

Q. Do you know anything about Mr. Lewis' application being sent to Mr. Knowlton? A. I don't know.

Q. It was sent through Mr. Mellen probably? A. Yes.

Q. There is one thing, only one thing, in regard to Mr. Knowlton, it is very strange there is such difficulty in finding out his nationality. I think you had a letter from Mr. Browning written on the 14th of June in which it is stated that it appears he is a British subject. This letter simply shows that on the 14th June we were frankly and honesly advised that he was a British subject, but he is not.

By THE COMMISSIONER: Q. There is no difficulty about that. Mr. Knowlton in his evidence stated that he was born in Knowlton, Que., that he was there for ten years and then went with his parents to the States; that his father voted for the president of the United States and is an American citizen. I suppose his nationality is the same as his father's.

Mr. BIGGAR: It goes to show that in representing him as a Canadian we did so in good faith.

Mr. STEPHENS: Mr. Knowlton does not state that he is an American citizen.

By the COMMISSIONER: But he evidently gave Mr. Browning a wrong impression.

Mr. BIGGAR: I do not know about that, Mr. Browning said he discussed the matter with him.

By the COMMISSIONER: That is a misapprehension, the facts are these, Mr. Knowlton's grandfather came from Vermont to Knowlton, Que., and retained his American citizenship and brought with him his son, Knowlton's father. They were there for 10 years and left for the States and when I asked Knowlton why did your father not take out American citizenship papers, he said it was not necessary, as he was an American.

Mr. MOWAT: There is no doubt about the nationality of Knowlton's father and grandfather. They were American subjects, they lived temporarily in Knowlton, Que., and Knowlton the present engineer was born there and lived there with his father and grandfather and then his father, being still an American subject, went back to the States. He found that it was not necessary for him to take out any papers as he never renounced his American citizenship. As a consequence Knowlton, the present engineer, was de facto an American citizen and voted at presidential elections always until he came to Canada. He was born in Quebec while his father was still an American subject.

Mr. HAYS being recalled.

By the COMMISSIONER: Will you kindly take the box, you have been already sworn Mr. Hays.

By Mr. MOWAT: I was not counsel when you were examined before, Mr. Hays, and we find a few things to clear up and would like you to say whether we agree upon them. On the 16th of June, 1903, you wrote to Sir Wilfrid Laurier a letter which appears in the return which he made to the House and you say:

Montreal, June 16th, 1903.

"My dear Sir Wilfrid,—

"I have heard that some of your opponents had on two or three recent occasions, made the statement that the engineers and other employees on our Grand Trunk Pacific surveys were all Americans, and while I shall not take any possible notice of this statement I thought it might be some satisfaction to you to know the exact facts in the case which are as follows:—

We have at present nine surveying parties in the field. Of these nine engineers, (Transitmen) are Canadians. Of the nine locating engineers four are Canadians, one an Englishman, one a German and three Americans. Of the entire staff, numbering ninety-four, eighty-nine are Canadians, or ninety-five per cent. It is our practice in connection will all our work to give the Canadians the preference, where all things are equal as to experience, qualifications, etc."

"Very truly yours, Chas. M. Hays, 2nd Vice Prest. & G. Mgr."

Q. Did you depend for the information which you gave as to these nine surveying parties upon the reports of Mr. Stephens? A. Entirely.

Q. Not on any other person? A. No.

Q. It turns out one of them, a German, Mayer, was an American citizen at the time and that an Englishman, born in England, took out naturalization papers in the United States. That of course you were not aware of at the time? A. No, Sir.

Q. Then on the 28th October, 1903, Mr. Fielding, Minister of Finance wrote you. I will not read the whole of the letter, but he says in this:

"It has been stated in the public press and also in Parliament that most of the engineers engaged on these surveys are gentlemen who have been brought in from the United States. Special circumstances may arise in which it is necessary to obtain such officials from abroad. It will probably be found, however, that as a rule sufficient engineering skill for the work can be obtained in the Dominion. Perhaps it would be convenient for you to furnish me with the names of the Engineers who are now in the field and the places from which they come."

Q. And you replied to that on the 12th November as follows:

"Dear Sir,—

"Replying to your favor of October 28th, in regard to the work done by the Grand Trunk Pacific Railway in connection with surveys between North Bay and Winnipeg. I attach hereto letter from Assistant Chief Engineer Stephens in regard thereto. I take it that the remark in your letter to which Mr Stephens makes reference, as to the taking over of reports, etc., in connection with our surveys, was meant to eliminate only such work as we might have done on our branch lines to the Lake Superior port and between North Bay and a connection with the Transcontinental, because as Mr. Stephens says, all work of any character whatsoever in connection with the balance of the survey, is equitably chargeable thereto, whether or not the information so obtained is made definite use of; it is all a portion of the cost. We will be prepared shortly to give you the exact expenditures made in connection therewith.

"As to the nativity of the Engineers, you will please note that of the thirteen engineers employed on the work, but three of them are Americans, the others all being British subjects."

Q. This answer, Mr. Hays, to the Minister gave him explanations which he supposed were entirely correct. I ask you whether you relied for that information on the letter of Mr. Stephens to you? A. Yes, Sir.

Q. Then Mr. Stephens in his letter of the 10th November, which you enclosed to Mr. Fielding, says:—

"With regard to the nativity of the gentlemen mentioned, I would say that Mr. Knowlton was born in Knowlton, Quebec."

Q. You had no intention I suppose of giving any information as to Mr. Knowlton's American citizenship. You simply took Mr. Stephens' statement? A. Yes, Sir.

Q. Then: "Mr. Allan is an Englishman, educated at Sandhurst Military College, England:"

He swore in Winnipeg that he took out allegiance papers to the United States some years ago. You will I suppose be willing to correct the statement which has been given to the Government? A. I know nothing about it.

Q. If this is so of course you desire to amend it? A. The facts should speak for themselves.

Q. Then with regard to a gentleman named Griffith who lives in Winnipeg and who is an engineer, you wrote on the 26th March, 1904, to the Hon. Mr. Emerson, Minister of Railways and Canals and as regards Mr. Griffith you used the following words:

"As to Mr. Griffith himself I will state he was in our employ on our Grand Trunk Pacific surveys from July 10th, 1903, to February 29th, 1904, at a salary of $175 per month, and the following is a statement of moneys paid to Mr. Griffith and on account of reconnaissance made by himself and the party of which he had charge:

G. L. Griffith, salary	$1 349.19
Reconnaissance party, wages,	748.45
G. L. Griffith, expense account	124.57
Equipment and supplies for party	983.66
	$3 205.87

"His services being no longer required they were dispensed with on the 1st of this month."

Q. Did you rely for that statement on whose information? A. Mr. Stephens'.

Q. On the 23rd April, 1904 you wrote to Sir Wilfrid Laurier:

"For your own information I may say that the Mr. Griffith who has been complaining to the Government on this subject, over the title of Secretary of the Institute of Amalgamated Engineers, was in our employ from sometime last summer, to the first of February last, when his services were dispensed with because they were not satisfactory, since which time he has apparently devoted himself to an attempt to make trouble."

Q. There is a discrepancy there you mention as relieving Mr. Griffith, and what you say here. Can you explain? Did you get the second statement from Mr. Stephens or is it inadvertence? A. I presume it is inadvertence though I do not recollect about it.

Q. In the letter of April a month after you say " when his services were dispensed with because they were not satisfactory" this is denied under oath by Mr. Griffith, can you say on what information you made that statement? A. Mr. Griffith denied that his services were not satisfactory?

Q. Yes. A. He said they were not dispensed with?

Q. Yes, you state in your letter of April 23rd that "his services were dispensed with because they were not satisfactory," on what did you rely when you made that statement? A. On Mr. Stephens.

Q. That would be in a report from Mr. Stephens when you stated that? A. Not necessarily.

Q. Was it? A. I do not know.

Q. You mean that you do not recollect, I want to know when you came to the conclusion sufficient to make that statement that his services were dispensed with because they were not satisfactory? A. When we say that a man's services are no longer required it may be estimated that his services are dispensed with.

Q. Do you say that to be usually estimated? A. Yes.

Q. You make it that the statements in both letters were means to apply to the same thing? A. Yes.

Q. Are you aware, have you any information that Mr. Griffith was employed by your company to make a reconnaissance or topographic survey in December, 1903, and that he reported to Mr. Kyle the result of that? A. I know he was in our employ, I do not remember anything about it.

Q. Are you aware that after he completed that report he was employed in the Winnipeg office in obtaining information from other railways, namely, the Canadian Northern and the C. P. R.? A. No, Sir.

Q. You were aware of that? A. No, Sir.

Q. For Mr. Kyle says in a letter to Mr. Stephens that Mr. Griffith can be retained to obtain this information as the other railways would not know for what purpose he asked it. Would that be with your approval? A. Not necessarily.

Q. Then you mean you have no knowledge of Mr. Griffith's employment by Mr. Kyle? A. No, Sir.

Q. If this was so, and he was so employed, would you amend in any way your statement that he was dismissed because his services were not satisfactory? A. I do not understand your question.

Q. Now it is a fact, as I say, that Mr. Kyle reported that after Mr. Griffith's completion of his reconnaissance work he was employed by him to obtain information about other railways would that show an amount of confidence on the part of Mr. Kyle which would make you wish to amend this information that you gave to the Government? A. It would depend on the information to be acquired.

Q. That would depend on the information to be acquired. A. Yes, Sir.

Q. Can you tell me whether he was dismissed as a result of that information he furnished? A. No, Sir.

Q. Are you aware of what evidence Mr. Kyle gave in regard to him in Winnipeg? A. No, Sir.

Q. You are not in a position to prove or to disprove? A. I think our counsel asked for all this evidence, Mr. Judge, but we have been unable to procure it.

The COMMISSIONER: I have only one stenographer and it has been impossible for him to transcribe his notes.

Mr. HAYS: Owing to Your Honour having some of our documents our records have been very incomplete and we are at a disadvantage when counsel are trying to make points.

The COMMISSIONER: Mr. Hays I am at that disadvantage too. The stenographer has accompanied me to Winnipeg, Edmonton, Regina and North Bay and had no opportunity to transcribe the evidence which is very lengthy. In some cases a small portion has been transcribed, but only a small portion of it.

By Mr. MOWAT to Mr. HAYS: Mr. Hays I understand that in your previous examination you stated that you had given instructions to Mr. Stephens that you desired Canadians to be employed unless none were available? A. My instructions to Mr. Stephens were that all things being equal after enquiry Canadians should be given the preference.

Q. You say you instructed him to make enquiries as to applicants? A. I believe so.

Q. Then Mr. Stephens in his examination formerly was asked:

"Did you personally invite any one from the United States to come over? A. Yes, after I had exhausted every effort to get others here.

Q. Because you could not get Canadians to do it? A. Yes.

Q. And to-day in evidence he says that the efforts he exhausted were confined to interviewing Mr. Tye, of the C. P. R., and Mr. McNab and some engineers whose names he could not recollect. Do you think that would be a compliance with your instructions, sufficient? A. That ought altogether to give him a pretty good idea of the situation.

Q. Was your idea only that he should confine his enquiry to so limited a direction as that? A. I left that to his own judgment.

Q. Would you have thought that he might have made enquiry of the Canadian Society of Engineers? A. I understand he did.

Q. Would you have expected to obtain from Mr. Stephens the names of any person in that society if obliged to? A. We were told that communication was had by telephone between Mr. Stephens, Mr. McNab and the secretary of the society or the young lady, his assistant, and these names would have been mentioned.

Q. Would you expect Mr. Stephens to make any further inquiries than those mentioned with McNab? A. We would naturally feel that the Canadian society was the best source as it has included in its membership the leading men in the profession in Canada.

Q. Then I suppose that when Mr. Stephens says he exhausted every effort to get others, then you would be disposed to agree with him? A. I would think he was reasonable.

Q. You think that a reasonable effort to comply with your expressed desire? A. I think so.

Q. When he had spoken to Mr. Tye, Mr. McNab and others? A. And had enquired of the Canadian Society of Civil Engineers.

Q. Would you have exacted from him any particulars as to whom he would have applied to? A. I do not think so.

Q. You would have simply taken his statement made here as satisfactory? A. I think so.

Q. You said in your former evidence that no applications were discussed but were all referred to Mr. Stephens? A. I would not have stated it if it was not correct.

Q. That is a little reflection on my way of asking, what I wished to say is do you still admit that and does it still express your exact opinion? A. It does.

Q. Then you state in your former evidence answering the Commissioner who says: "I do not think any one will disagree with you on that, Mr. Hays, but have we no men in Canada quite as well qualified to do this work?" "There are naturally men of that character but they are all very busy and disinclined to give up their present occupations." Will you kindly afford us information as to what facts you had to give and when you gave that statement, to whom had you applied?

Mr. BIGGAR: Is this a re-examination of Mr. Hays, an examination in chief, he has been examined in chief?

The COMMISSIONER: Mr. Mowat as counsel for the Government has the right to examine him *de novo* should he judge proper.

Mr. BIGGAR: If that is the object of this examination the counsel should read sufficient portions of the evidence to make it intelligible.

The COMMISSIONER: If the counsel picks out any portions of the evidence, Mr. Biggar, we will see they are intelligible before Mr. Hays answers them.

Mr. BIGGAR: I think that would be fairer.

Mr. MOWAT: Mr. Hays I will now read that portion of your evidence immediately preceding what I quoted just now. You said:

"Canada has been somewhat unfortunate in respect of having a very small territory to draw from in any work of great importance where we want to get the latest ideas and I think it is in the interest of Canadians and of Canadian work that in everything we do we should get the best and latest experience and information to carry it out. Where you are building a house, a hotel, a manufactory or a railway, it is in the interest of everyone that the latest expert knowledge and experience should be brought to bear in conducting the work. That is our position and has led us to send outside of the country to get that information which could not be had here.

"The COMMISSIONER: I do not think that any one will disagree with you on that, Mr. Hays, but have we no men in Canada quite as well qualified to do this work" A. There are naturally men of that character but they are all very busy and disinclined to give up their present occupations."

Q. Up to the present you have appointed on the staff of the Grand Trunk Pacific survey nine principal officers, namely, one assistant chief engineer at $7,500; three division engineers at $4,000; three district engineers at $3,000; one harbour engineer at $3,600 and one resident engineer at Winnipeg at $2,400. Of these eight are Americans and one Canadian. In view of your statement that there are naturally men of the character you speak of but they are all very busy and disinclined to give up their present occupations, I ask you for particulars on what you based that statement? A. Based on reports of Mr. Stephens.

Q. You yourself did not enquire on what grounds he was making these reports, but just took his word? A. If you mean to say that I took his word without making enquiries or getting particulars, if you mean that I did not personally take up the question of employment and that I delegated my powers to him, and that in all these matters he reports to me for approval and tells me the facts in the case, you are right.

Q. You rely on his judgment? A. As I do on every head of a department.

Q. Did you take any steps to check them? A. I took no steps to check them.

Q. When you got the general official reports they were looked upon by you as final and you relied on their contents? A. Not always looked upon as final but as every president or general manager, looked upon as being facts.

Q. And these reports you did not question? A. No, Sir.

Q. And did not doubt their accuracy? A. No, Sir.

Q. Then when you answered that question you had these facts in your mind as to what engineers were very busy or disinclined to give up their present occupations? A. Except as reported to me by Mr. Stephens.

Q. Will you tell me please what report Mr. Stephens made upon Canadian engineers and which allowed you to answer that question in that way? A. These reports were made from time to time, they were not necessarily written reports as very few reports received from a general officer are. I may have daily talks with an officer who may make daily reports which are ap-

proved or disapproved and the work goes on and Mr. Stephens' reports were handled in that way.

Q. Can you mention the names of any whom he reported were busy and disinclined to give up their present occupations? A. No.

Q. You cannot mention these names? A. I did not burden my mind with that.

Q. And you cannot recollect any one who was reported to you by Mr. Stephens as busy and disinclined to give up their present occupations? A. I think there were two or three, I think Mr. Armstrong was one of them.

Q. Any others Mr. Hays? A. There were two or three others, I do not recollect their names.

Q. No names? A. I know none of these engineers.

Q. Those Canadian engineers? A. Nor American engineers either for that matter.

Q. You relied entirely on Mr. Stephens enquiries for your guidance? A. Entirely.

Q. Did you have yourself any conversation with Mr. Lumsden regarding his acceptance of a position on this engineering staff? A. I do not recollect that.

Q. You state you do not know or you do not recollect? A. I do not recollect.

... Q. Do you remember at any time meeting Mr. Lumsden or discussing the possibility of his accepting a position with you? A. I think I do, I think I met him and Mr. Hobson about that in Mr. Hobson's office, I do not recollect when.

Q. Did you mention the salary that was to be actually paid? A. I do not recollect.

Q. Will you say you did or did not? A. I simply say I do not recollect.

Q. Did you discuss with him what position would be available or what position he might take? A. The matter was left to Mr. Hobson and he carried on all the discussion.

Q. There was only one conversation? A. I will not be sure there was only one.

Q. Will you say that your recollection goes so far as to say that $7,500 was mentioned to Mr. Lumsden? A. I do not recollect.

Q. Do you recollect the question of any sum being mentioned to Mr. Lumsden? A. That would be through Mr. Hobson.

Q. I am speaking of the interview at which you met Mr. Lumsden? A. I have forgotten whether we discussed that question or not.

Q. Then it was not much in your mind as the intention was not great in your mind that you should appoint Mr. Lumsden? A. That is hardly a fair inference.

Q. Well it has not remained in your mind, the particulars of the interview have escaped your memory. Is it not a fair inference for us to take that you were simply trifling with the matter? A. I do not think so.

Q. At any rate there was no statement of fact at that interview which remained in your memory. A. No, Sir.

Q. Mr. Lumsden's proposed position or salary were mentioned, is this true? A. It is so put, I hardly know what you mean by that.

Q. I want you to give your own answer, will you please do so. There were no facts remained in your memory which were discussed at this place between yourself, Mr. Hobson and Mr. Lumsden, whether as to the extent of his position or employment, the character of it or the amount of salary which he would get? A. My recollection is that the matter was delegated to Mr.

Hobson, that he had several meetings with Mr. Lumsden, had several discussions with Mr. Lumsden who was satisfied with his present position and did not desire to make a change.

Q. Was that stated to you personally? A. To us both, to Mr. Hobson and myself.

Q. Was this a subsequent interview? A. Subsequent to what?

Q. Did it take place at the one time? A. At the one time.

Q. Can I ask you to go a little further and to say whether at this interview, the question of remuneration was discussed with you, when Mr. Lumsden stated he was satisfied with his present position? A. I do not recollect.

Q. Do you not think that in discussing a very important matter with an engineer such as a change in his position that that would not be one of the first elements to enter into a conversation, the question of salary? A. Yes, Sir.

Q. And you do not recollect there was any discussion between you as to the salary to be given. A Mr. Hobson's testimony would show that but I am asked for a recollection. I think the question of salary would be generally discussed, that was not, I may say to shorten the enquiry, a factor. Mr. Lumsden was at that time in a position and wanted to stay there.

Q. I would like to know Mr. Hays when you first became acquainted with Mr. J. R. Stephens? A. Some time in the winter of 1902-03, I think it was.

Q. Previous to that time you had no personal acquaintance with the gentleman or with his professional attainments? A. No, Sir.

Q. By whom was he brought to your notice? A. Mr. J. R. Kendrick, formerly vice president and receiver of the Northern Pacific now vice president of the Santa Fé.

Q. An old acquaintance of yours? A. Yes.

Q. Did you ask him to recommend a man telling him what the extent of the work would be? A. I think I did.

Q. You were then looking for a man? A. Yes.

Q. This was after the conversation with Mr. Lumsden? A. Yes.

Q. And have you got the report made by Mr. Kendrick? A. His recommendation.

Q. Yes? A. Yes, Sir.

Q. I would like to see that. Can you tell us whether Mr. Kendrick recommended him as a construction or locating engineer? A. Both, his recommendation was very strong. I am sorry not to have the information with me.

Q. You can send it to me. A. I will be glad to do so. I will send that with two or three others.

Q. Did you ask him at that time whether Mr. Stephens was a member of any national society of engineers? A. No.

Q. You did not think that important? A. No.

Q. And you do not know now whether Mr. Stephens is a member of the American Society of Engineers? A. No.

Q. You were satisfied with Mr. Kendrick's recommendation? A. Not with Mr. Kendrick's alone I had asked two or three others. I do not think I have a letter from Mr. Kendrick he came to my office one day and when there I asked him about Mr. Stephens and he recommended him very highly.

Q. At that time Mr. Stephens was employed on a branch of the Santa Fé, namely, the Oklahoma system? A. He was on the Santa Fé, I do not know what branch.

Q. Did it not enter into your mind that it would be wrong to bring a man from a country of that kind and put him into the northern part of Canada? A. No.

Q. It did not enter into your mind whether it would be wise or not? A. It did not enter my mind.

Q. Not as a matter coming under the Alien Labour act? A. Not so far as engineers were concerned.

Q. I suppose you are aware of the obligations of the Alien Labour act? A. I never thought that professional men came under the provisions of the act. I thought it was modeled on the United States Act which does not include professional men.

Q. That is the question whether or not it applies to engineers? A. I think it does not apply to professional men and engineers are professional men.

Q. Yes, but they have not in the American law the status of clergymen, and the Canadian law is word for word the replica of the American law. It was not called to your attention that you were making a breach of the law of the Province of Quebec when you were employing Mr. Stephens? A. A breach, well, no.

Q. Here is an act regarding civil engineers in the Province of Quebec, it is intituled An Act concerning Civil Engineers. Article 2 of that act says:

2. "On and after the 1st of January, 1899, no person shall be entitled, within the Province of Quebec, to use the title of civil engineer, or any abbreviation thereof, or any name, title or description implying that he is a corporate member of the said society, nor to act or practice as civil engineer within the meaning of the first section of this act."

Then sub-head (d) to Article 1 reads as follows:

"The expression "civil engineer" means any one who acts or practices as an engineer in advising on, in making measurements for, or in laying out, designing or supervising the construction of railways, metallic bridges, etc."

A. Would that apply to Manitoba and the North-west Territories?

Q. I am speaking now of the Province of Quebec. A. Mr. Stephens has nothing to do in the Province of Quebec.

Q. He advises from here, he is practising as engineer in Montreal in the Province of Quebec. A. I do not know that.

Q. I suppose you would not willingly place Mr. Stephens in danger of imprisonment. Clause 10 says:

10. "Any person who, not being registered as a member of the said society, takes or makes any use of any such name, title or designation as mentioned, or assumed the title of civil engineer, shall be liable upon summary conviction to a fine not exceeding twenty-five dollars for the first offence, and not exceeding one hundred dollars for any subsequent offense."

Q. These clauses of the Quebec Act were not called to your attention? A. They would hardly be, because Mr. Stephens has nothing to do with the Province of Quebec.

Q. Although his headquarters are in this city and situate in the building occupied by the Grand Trunk in Montreal? A. His headquarters are on the road.

Q. Part of his duties are to receive different reports from engineers? A. Yes.

Q. To make notes of them, which he does in the office in Montreal? A. I do not think they are always received in Montreal.

Q. Come Mr. Hays, surely you are aware that the division engineers when sending in reports of the assistant engineers send them to Mr. Stephens at Montreal? A. I presume so.

Q. And Mr. Stephens reviews their provisions here and makes notes upon them, as I understand he does and of course he does this in Montreal, in the Province of Quebec? A. Not necessarily, he may receive these reports

in Winnipeg, which I have no doubt he does a great portion, he receives the others in Montreal. Whether that would be considered as to make Mr. Stephens an engineer practising in Quebec, I do not know.

Q. I will ask you if you will revise your statement that he does not practice in the Province of Quebec? A. That is not evidence. Is it necessary to take up so much of my time in discussing such matters.

Q. The time I take will be as long as is necessary without consideration of any other reason except doing my duty and remarks from you Sir, will avail nothing. The taking of the examination will take precisely as long as I like to make it.

Q. Then if information is asked for at the present time by the members of the Government, your reports will, of course, be in accordance with the evidence given in this enquiry, Mr. Hays? A. Yes.

By Mr. BIGGAR to Mr. HAYS: (Handing copy of telegram) Any objection to putting that in, Mr. Hays? A. I would put that in, yes.

By Mr. BIGGAR to the COMMISSIONER: My learned friend has spoken of Mr. Griffith as being employed by the company and dismissed. Now I would like, with your permission, to put in the copy of a telegram which appears in the Parliamentary return though not in the copy, a copy of a telegram of 2nd of June from Mr. Griffiths, which if any action called for that dismissal I think it would.

The COMMISSIONER: I have not seen this. Have you seen it Mr. Hays, will you explain to the court?

Mr. BIGGAR: It is part of the Parliamentary return.

The COMMISSIONER: You received it from the Minister of Labour?

Mr. BIGGAR: I tried to find it in this return that my learned friend has This is a telegram from Winnipeg, dated 2nd of June, 1904:

"Sir William Mulock,
Minister of Labour,
Ottawa, Ont.

"Re suggestion C. M. Hays to Judge Winchester to accept endorsation of Canadian Society of Engineers as to appointments on Grand Trunk Pacific, the Dominion Institute of Engineers desires to enter a strong protest against the recognition of the right of any Engineering Society to be given any such recognition.

"In the present instance it would be equivalent to an usurpation of the rights and privileges of the State and Universities and we strongly protest against your Government recognizing, delegating or subordinating its powers to any engineering society, and we desire to point out that Mr. Hays believes that he can now, or later on, acquire control of the Canadian Society at Montreal at the point where it is localized and centralized and where its action would be represented by a few men who are American aliens, and who have joined it for that purpose, and would not be representative of the opinions or interests of the engineering profession of Canada. The paternal regulation proposed by Mr. Hays is simply an attempt in disguise, to muzzle at Montreal the Canadian engineering profession and in an underhand way to create and off-set to the passage of our contemplated legislation."

"(Sgd.) Dominion Institute of Amalgamated Engineering,
G. L. Griffith, Provincial Secretary."

The COMMISSIONER: These statements are not evidence, but you can put in the telegram for what it is worth.

Mr. BIGGAR to Mr. HAYS: This gentleman was at one time in the Grand Trunk Pacific employ? A. So I understand, I do not know him at all.

By the COMMISSIONER: I find a letter addressed to you from Mr. H. A. Woods of the Grand Trunk Western, engineer in charge, do you know him?

A. Yes.

Q. He writes to you on the 16th December, 1903, as follows:

"Mr. Chas. M. Hays, Detroit, Mich., Dec., 16th 1903.
President,
Montreal, P.Q.

"Dear Sir,—

"Having nearly finished grade reductions and double track work between Battle Creek and Grangers, I shall reduce the engineering force at the end of the present month retaining but one party to get the field work in readiness near Valparaiso for the coming season.

I recall your saying at one time that you might probably make use of any of my assistants when they finished here, on the Grand Trunk Pacific.

"Mr. B. B. Critchlow my assistant, now at Cassopolis, has had long experience in locating and construction, particularly on mountain work. He has been employed by the Denver and Rio Grande, Union Pacific and Canadian Pacific Rys., and would, I think be pleased to take service on the Grand Trunk Pacific early in the spring if there is an opening for him. He was offered a locating party by Mr. Stephens in August last, but I really could not well spare him at that time as he had the work on his division well in hand." . . . . .

Q. You remember the conversation he refers to in that "I recall your saying"? A. I do not recollect it, but if it is over my signature I will stand for it.

Q. It is over his signature. Do you recollect that conversation between you and him? A. This was written on December 16th, 1903. We were looking at that time for engineers and I have no doubt that was the conversation.

Q. Do you know this Mr. Critchlow he refers to? A. No, I do not know the men on the surveys.

Q. Then you received a letter Mr. Hays, from Sir Charles Rivers Wilson on behalf of Mr. O'Meara of Victoria, B.C., dated the 28th October, 1903? (Shows letter to witness) A. Yes, that is Sir Rivers' letter.

Q. He was not employed? A. I do not know.

Q. You referred the matter to Mr. Stephens, recommending appointment? A. I do not know, I referred it to Mr. Stephens for consideration.

Q. That was the way it came before Mr. Stephens, you sent him the letter? A. Yes, all these applications for places that came. I could not superintend them.

Q. This one from Mr. Gailor of Syracuse? A. Yes, that is the usual form.

Q. Here is one that should be very familiar. Do you remember Mr. Hillman yourself, Mr. Hays. He was assistant to Mr. Hobson for a number of years? A. I do not know the gentleman at all. I have heard his name here.

Q. Mr. Hobson recommended him highly as an engineer of many years standing and well qualified as to ability? A. I think he is one of our men.

Q. No, he was one of Mr. Hobson's some years ago. He is still in Hamilton out of employment. Did you consult Mr. Hobson as to this gentleman? A. Mr. Hobson at the beginning of our surveys had charge of the work before Mr. Stephens came here.

Q. Then you did not advertise? A. No, that is not the custom To advertise would simply result in our being flooded with applications from which we would derive very little benefit.

Q. Among the 100 applications I have from your office there were 40 members of the Canadian Society; 28 members and 12 associate members. Professor McLeod went through and checked the names and he stated that some of them were qualified for positions here. Do you know why they were not employed? A. Did they apply?

Q. These were applications? A. No, Sir.

Q. Were you consulted with reference to these applications? A. I do not recollect in every case.

Q. I give you the names: Charles A. Abbott; H. W. D. Armstrong; J. H. Armstrong; John F. Armour; W. A. Bowden; A. M. Bruce; E. Berryman; J. D. Black; J. Caddy; H. Carry; C. E. Cartwright; Chalmers; Col. Cotton; Am brose Duffy, E. H. Drury; Evans; Hanson Greene; T. E. Hillman; F. A. Hibbard; Jorgensen; J. H. Kennedy; W. F. Lane; D.O. Lewis Miles; McConnell, B. D.; Frank Moberly; Mitchell and Walsh. Now out of these two, McLennan and Cotton were appointed and both relieved from work. Do you know any of these? A. I know none of them only Frank Moberley. We discussed that before?

Q. Yes. You saw the statement in the papers made by Mr. Allan with reference to our King's birthday. On the 24th May last when he and Mr. Goddard were in the office he asked why they kept that holiday. Because it is the King's birthday, replied Mr. Goddard. Mr. Allan then said: "Why keep that blackguard's birthday? That was sworn to? A. I have seen it.

Q. Do you think it would be fair to have such a man as that on public works in Canada such as this Railway in Canada? A. I can hardly believe that Mr. Allan would make such a statement.

Q. He did not deny that? A. I do not know him, he is an Englishman.

Q. He was an Englishman and became an American citizen. A. I think that all the more reason why he should not have made it.

Q. Proselytes are sometimes more fervent? A. Certainly I should have very little use for a man who used that sort of language.

Q. You remember Mr. Mellen's salary being increased? A. Yes.

Q. He is chief clerk here? A. Yes.

Q. It was increased from $125 to $150? A. Yes.

Q. Mr. Kyle's resignation has been accepted? A. Yes.

Q. Mr. Van Arsdol, Mr. McNeill and Mellen are discharged? A. All I understand, they would only send in their resignations.

Q. And these would be accepted? A. Yes.

Q. Several of your engineers have been—I counted three assistant engineers, transitmen and others have been relieved from duty on account of their habits in taking intoxicating liquors. Do you approve of that? A. I approve of their being relieved.

Q. It was stated by several witnesses that Mr. Stephens was in that state in Winnipeg. You were not aware of that? A. Our counsel called my attention to that statement and said it was not true.

Q. The counsel is not on oath. These men swore it and I have no doubt about their statement being true. A. I do not know the witnesses I am not competent to pass on their reliability.

Q. I saw them and cross-examined them very carefully, because it was a very serious matter. Do you not think that is a serious statement to make, Mr. Hays, against any man, especially a chief of a road? A. If it is true, it is very serious.

Q. I may say the witnesses swore that the details were perfectly true and they were cross-examined by Mr. Cameron and by myself. I think that is all Mr. Hays. Will you kindly get me these letters? A. Yes.

The session was adjourned to the 13th of July, 1904, at Toronto, Ont.

Before His Honour JUDGE WINCHESTER, Commissioner.

Toronto, July 13th, 1904.

H. M. MOWAT, Esq., K.C., representing the Dominion Government.
W. H. BIGGAR, Esq., K.C., representing Grand Trunk Pacific Ry.
Proceedings opened at 11 o'clock A.M.

WILLIAM T. JENNINGS, sworn, examined by

Mr. MOWAT: Q. You are a civil engineer of experience in Canada? A. I have had thirty-five years experience in Canada in active work.

Q. In railroad work? A. Principally railway, and other works akin to railway works—docks, bridges, harbours, rivers, also in city and hydraulic works.

Q. Has your work in Canada brought you in contact with a number of engineers practising in Canada? A. With a great many.

Q. I wrote you a letter the other day; do you happen to have it with you? A. Yes; this is it:—

"Toronto, July 9, 1904.

"W. T. Jennings, Esq., C.E.,
"50 King West,
"Toronto.

"Dear Sir,—Those in charge of the location work on the Grand Trunk Pacific Railway appointed as chief staff officers, are assistant engineer at $7,500, 3 Division Engineers at $4,000, 3 District Engineers at $3,000, a Harbour Engineer at Port Arthur at $3,600, and an office engineer at $2,400. Eight of these nine offices are filled by citizens of the United States not hitherto familiar with Canadian location or the physical or topographical features of Canada. Several other U.S. engineers are in charge of parties or in surveying parties.

"Mr. Stephens, Assistant Chief Engineer, formerly of the Oklahoma Eastern Railway swore in evidence in the present Government Commission before Judge Winchester in explanation of these appointments that he only appointed Americans "after he had exhausted every effort to get engineers here," and when he "could not get Canadians to do the work."

"I would like you to attend before the Commission at the Court House, Toronto, on Wednesday, July 13th, at 10.30 o'clock, and state your opinion as to this averment of Mr. Stephens'.

"If you could make it convenient to call upon me or telephone me in the meantime, I would be glad, as that might result in shortening the evidence. "Yours truly, "H. M. MOWAT."

Q. Will you give us your opinion of those statements? A. In a general way?

Q. Yes; I don't ask you particularly; part of the scope of this investigation is to find out whether there are Canadians available for these positions; I ask you as an expert, a man who has been familiar with the engineering profession for a long time, to tell the Commissioner what your opinion is on that point? A. My opinion in connection with this whole matter is that there was not the slighest necessity to go outside of Canada for any officer of any degree, from the highest to the lowest, in connection with the construction of that proposed railway or any other public work in this country; or for harbours, docks, canals, railways, bridges, or any other feature, such as electrical, hydraulic or mechanical. If we have not got men, perhaps, who are in detail fully experienced, then I think that we have men who are able to get opinions that might assist them further: but every work, I hold, can be done and ought to be done by Canadians so far as our state affairs are concerned.

Q. Mr. Stephens says he exhausted every effort to get Canadians? A. I do not know the gentleman, never heard of him before, nor do I know what method he pursued, but I am sure that he could not have taken the usual vehicle for obtaining such information and such assistance, otherwise we would have heard of it.

Q. What would you say was the usual or ordinary vehicle? A. If the work was to be done by the state, through the Department of Railways at Ottawa; then through the Chief Enigneer and his assistants.

Q. Is that Mr. Schreiber? A. Mr. Schreiber. If in the ordinary way, (when I say the ordinary way I mean by the railway company acting on its own responsibility and initiative)—then, I think, that he, through the president or manager or engineer or some chief officer of the existent G.T.R. railway, should have been put in touch with the means in this country of assisting him in the object desired, as I understand, to get engineers. We have in Canada a very large organization, probably the third in the world, (the first being the Institution of Engineers, second the American Society of Engineers and third the Canadian Society of Engineers—) through whose agency assistance could have been rendered.

Q. Are you an officer in the Canadian Society? A. I am a past president of the Canadian Society, and a member of the other organizations I have named.

Q. And familiar with their working and organization? A. Yes. From my knowledge of these organizations, in this country, in England and in the United States, I think that there would have been no difficulty in obtaining in a trustworthy way the information desired: indeed this feature was partly the cause for the formation of these societies which were established to assist in these and other matters of an educational and engineering character.

Q. For the supply of engineers? A. Yes; not only for the supply of engineers, but to assist members of the profession in obtaining continuous work. The practice being, that when an engineer finds that he is nearing the completion of an undertaking and wishes another engagement, he sends to the secretary of such organization a memorandum to that effect. His name is then put on the list, which any member or friend through a member may have access to.

Q. Suppose you had come here as Mr. Stephens did, from the United States, what course would you have adopted if you had a desire to employ Canadian engineers on this Canadian railway? A. Had I been a member of the American society of Civil Engineers and not of the Canadian, I should have asked, through my secretary in New York, a letter of introduction or credit, you might term it, to the chief officer in the Canadian Society, and obtain through that introduction the necessary assistance: that is, if I was going to do it purely in personal engineering way, without regard to the management of the company.

Q. Are you a member of the American Society of Civil Engineers? A. I am.

Q. Are you a member of the British Society? A. I am, of the Institution of Civil Engineers.

Q. Is Mr. Stephens a member of the American Society of Civil Engineers? A. I am not aware that he is a member of any organization whatever. I do not see his name in the list of American Engineers; I have the list here, but I have not been able to discover his name.

Q. Have you attended the conventions and meetings of the American Society of Civil Engineers? A. I have.

Q. Have you ever met him? A. Never.

Q. Then if you had come here in his place you would have first got your letter of credit, if you could, from the American Society to the Canadian Society here? A. To the Canadian Society.

Q. It has been said that he might have applied to the universities and colleges who have the training of these people? A. That is a feature which would come on later. An engineer coming as an executive officer to see the conduct of surveys for a trans-continental line would not be able to occupy his time with students.

Q. I am not speaking about the chief officers; I am speaking about the assistants, men for parties? A. The university professors do splendid work as teachers of theory and trainers of the young mind in engineering. But they are not usually conversant with details of work or the business feature of engineering. Our home institution, the School of Practical Science in Toronto, the Applied Science Department of McGill, and one of a similar nature lately started at Kingston, all do good work: I hold that the older engineers of to-day were the ones who very largely had to do with the formation of the scientific branches in these Universities. I know that to be the case from my own experience, also that a great many others were with me in that move, consequently we have now obtained a good mode of instruction for all wishing to enter the engineering profession. Thus young men who are trained properly, and who have gradually found their bent; for hydraulic, mining, mechanical or civil work—take up these different branches—and in that way are segregated throughout the country, to their own liking or desire, as it were.

Q. Then what I understand you to say is that if you desired to get experienced engineers, as district engineers or division engineers, or engineers in charge of parties, you would have applied to the Canadian Society through its officers? A. I would first have applied for their lists, then I should have asked for the assistance, in this instance, of Mr. Collingwood Schreiber and his predecessor in office, Sir Sandford Fleming, and some of the older men who carried through the first Canadian Pacific Railway, with all the necessary surveys and explorations and works in connection with that undertaking.

Q. Speaking as an engineer, what is the character or reputation of those first surveys of the Canadian Pacific Railway? A. I have heard from American engineers that never was better or more rapid work done anywhere, than that done by the Canadian Pacific staff under the Government, from Mr. Mackenzie's time, Sir John's time, and so on to the end of the work and the result of the work in record form, is to be had in the Department.

Q. Are those available for enquirers? A. Some of them, I believe, are still available.

Q. In the Department at Ottawa? A. The survey records, all information, plans, profiles, books of reference, and every feature, can be seen at Ottawa any hour of the day; and I will venture to say that no railway company on the face of the earth can shew better plans than the Government can shew, as executed under the direction of Sir Sandford Fleming.

Q. Of these nine engineers appointed as what might be called the chief of staffs in the Grand Trunk Pacific, eight of them are American citizens who have had previous experience in the United States—some in Virginia, some at Oklahoma, and some up as far as Montana and Washington Territory, as we have learned in this Commission; none of them had previous experience in the Northern part of Canada; will you tell the Commissioner what is in your opinion the relative advantage that an engineer would have in going to that country, both as regards its physical and topographical features, the difficulties of the commissariat—the relative

difference between a man who has had experience and a man who has not? A. Allowing that two men were alike equal in professional ability, the one conversant with the country and the ways of the country, should certainly be better able to get about and do the work for his employers in a more rapid and less expensive way than a stranger. There is no question about that and this brings up the further remark in connection with such work; throughout the country we have another vehicle, which was made use of largely, and can yet be made use of to further such work as this, and that is, the Hudson's Bay Company with their agencies spread from one end of the land to the other; the officers of that company were of very great value in the past to the officers of the Government, not only in the Railway Department, but in every other department sending men out to make explorations and surveys. The officers are very, very good, and you can depend on them, and that is a feature especially required when one is in a remote district; namely, that when a man says he will do a thing, you may be sure that it will be done.

Q. You yourself were in charge of important work, I believe, in connection with construction of the Canadian Pacific Railway through the mountains? A. Yes.

Q. What was that? A. During surveys I was divisional engineer, and then district engineer, and superintending engineer in British Columbia, also district engineer in Keewatin.

Q. Perhaps while you are here we might learn some of your other achievements in engineering and Canadian railways? A. I have done a great deal for the Canadian Pacific and the old Great Western of Canada, and many steam and electrical railways about here, and in various parts of this country. One does not like to speak of his own work, you know, but perhaps I might say larger and more varied work than any practising engineer.

Q. I want to know, for this reason: I want to ask you another question; Mr. Hays said that in his opinion it would be to the advantage of Canada that he should have the latest ideas, and not simply confine himself to Canadian engineers; he swore that in this Commission. What is your opinion as to whether that would be a necessary thing—to bring in American engineers for the purpose of giving these new ideas? A. I would like to know what the new ideas are first. It may be—

Q. At any rate you have never heard of them? A. No, I have not. I read nearly all the magazines coming from the States, and official reports from Engineering Societies, and I have yet to learn of any wonderful new ideas. I think if you will refer back to the old text-books we had thirty years ago, that they have not made much advancement on these.

Q. I happened to see in a Canadian newspaper published the other day an article copied from the Cleveland "Plain Dealer"; you might just glance over it and I will read it? A. I suppose the central paragraph is the one you refer to where reference is made to the great capacity of the writer of that article?

Mr. BIGGAR: Is the Grand Trunk Pacific responsible for the article?

Mr. MOWAT: No. but I would assume it was in line with the ideas of the Grand Trunk Pacific.

Mr. BIGGAR: You better prove it.

Mr. MOWAT: I will do that by reading Mr. Hays' evidence. However, I will read the article in the meantime.

Mr. MOWAT proceeded to read, when he was interrupted by

Mr. BIGGAR: Has this anything to do with this investigation? I don't think it is quite fair of my learned friend to import this American newspaper into the record of this.

THE COMMISSIONER: We would not like to accept everything that is stated in the papers.

Mr. BIGGAR: What is the object of putting it in?

THE COMMISSIONER: I suppose Mr. Mowat could simply ask the question whether it is necessary.

Mr. BIGGAR: It is done here to prejudice the company, and I submit it is improperly done.

THE COMMISSIONER: I have not seen it. Where is it?

Mr. MOWAT: It is a Toronto paper. I am simply putting it as a short cut in order to get to the main point.

THE COMMISSIONER: What is the main point?

Mr. MOWAT: I will ask Mr. Jennings about it. (Reads) "The British experts reported that certain routes were impracticable, or even impossible. American engineers, fresh from their experience in their own mountainous sections, thought and demonstrated otherwise. In consequence, the Canadian Pacific did not have to hover on the slope of the Rockies." I have laid the ground for asking the question I am going to ask, by hearing that Mr. Jennings had been employed in the mountainous section of the Canadian Pacific, and I want to ask him his opinion of that statement, because Mr. Hays said that that was why it was necessary to introduce American engineers.

Mr. BIGGAR: That is bringing in outside issues, and attempting to prejudice the company.

THE COMMISSIONER: We simply want to know if we have the Canadian engineers that are capable of constructing the railway.

WITNESS: Yes, we have, and we would not construct it in the way stated in that article.

THE COMMISSIONER: There is no objection to your stating your own experience.

WITNESS: What I wish to say is that I am not speaking in my own personal interest at all; but in the interest of Canadian engineers. I am not an aspirant for any office in this concern, and I am speaking in a thoroughly non-personal manner, and for the good of the engineers of this country. This ("Plain Dealer") statement is wrong, and wherever the American locations were followed, this country and the Canadian Pacific Railway directly have suffered. They have a summit 2,000 feet higher than we, under the Government, had. They have a line a little shorter, but with heavy grades and thus in reality longer as a matter of haulage; so far as I can see, their work was a succession of blunders in that way. The story is a long one, but is worthy of comparison and study. A four per cent. grade; just think of building up to the summit of the Rocky Mountains in the belief that you were getting a two per cent. and find it four. That is not very good engineering.

Mr. MOWAT: Q. Then as to the availability of Canadian engineers, how many would you say—unless you desire to give their names—would have been available for these staff positions on the one hand, and the minor positions such as engineer in charge of parties, and the younger men, the draughtsmen and so on; how many with your knowledge of the Canadian Society, and with the names appearing on the list of the membership of that society, would have been available? A. I think that in Canada at the present moment, on those salaries, we could quite easily get every man necessary to equip two outfits for roads across the continent. Twenty-five years ago, for the Government works, there was no difficulty in getting men. There were always three or four hundred applicants beyond those that could be taken. Since then our country has grown in population. We have more

engineers, better trained engineers, and I am safe in saying that we could now get three to one.

Q. Is there any other statement that you would like to make? A. Nothing.

By Mr. BIGGAR: Q. In regard to the availability of these men, I suppose you are speaking in a general way; you don't know how many of them are engaged in other companies, or what salaries they are getting, or anything of that kind, do you? A. I generally know, and think I am safe in my statement regarding it, the special feature in connection with this new matter, the Grand Trunk Pacific line, is the length of engagement, a point always looked to by those in and out of employment. For instance, a man might be in receipt of the same salary that he would be looking for under new circumstances, but in the new scheme he would see a five to ten or fifteen years' engagement ahead of him, and that would bear a great deal of weight in his decision. Now, from men I know and I am speaking as definitely as can be spoken to, I am not an employment agent, but I meet a great many engineers, and employ a good many, and get employment for a good many who I don't know personally direct.

Q. Do you know personally that the Canadian Pacific have been ask-

Q. Is it not a fact that they have been advertising for some time past at Winnipeg? A. I do not know, I am sure—I do not know personally, I have not heard that.

Q. You have heard there are vacancies there? A. I have heard that; and that they can get engineers. They can get them right in this room.

Q. The positions have been vacant for some time? A. No executive position at all.

Q. Is it nota fact that they have been advertising for some time past for engineers? A. No? I never knew of them advertising at all. Never knew of the Canadian Pacific or the Grand Trunk advertising in a paper for engineers.

Q. You would not think that was a proper thing to do? A. Not necessary and not exactly quite proper. You would not like to see a lawyer advertised for? There is a little respect and a sense of dignity left I hope.

Q. It is a pretty well-known fact that those positions are vacant and have been for some time? A. No! I do not consider it necessary for the Canadian Pacific to have any position vacant for ten minutes if they use their telegraph wires.

Q. I am speaking from the evidence. A. Allow me to see the evidence and I will give an opinion on it. I am sure Mr. McKenzie, who is sitting there, will bear me out.

Q. You were speaking of the Canadian Pacific work; were there any American engineers employed on that? A. There were half a dozen.

Q. That does not account for it being so well done. A. No, I don't know that. I am a great admirer of some American engineers, and have had a good deal to do with them, and I am not going to make any assertion, or cast asperation on American engineers. The coming of those men to the Pacific Coast section during construction was probably and relatively speaking, just about like the coming of the men on this survey, but in a lesser degree.

Q. The same policy was adopted at that time that has been adopted since to a large extent? A. The Americans have a different method from the Canadians. Their managers have a "following" as it is called, down to their secretary, whom they take with them wherever they go, and they think no one else on the face of the earth will suit them except those men. That accounts for it. We brought in Americans to carry through our first syndicate scheme, and then our Canadian company thought wise to bring the men referred to, whose actions were supervised by Canadian engineers,

that is, so far as part of my contruction charge was concerned, on the West Coast, they were all under me, the very men you speak of.

Perhaps you are not aware that all those men that Mr. Stephens brought in are men that he worked with before, and knew their ability. A. He no doubt knew their ability. I am not testifying to Mr. Stephen's actions; I am simply testifying, as I understand it, to the fact that in Canada we have engineers in number and of professional ability sufficient to build that road, or to lay it out and build it, and that is what I mean to say.

Q. Mr. Stephens, of course, as you are aware, was a stranger when he came here you say you do not know him, and know that he is not a member of the Canadian Society at all? A. No, I do not think he is a member.

Q. But you think a proper thing for him to do was to apply to the Canadian Society? A. No; I said if he had been a member of the American Society of Engineers the proper thing would have been for him to do that.

Q. You think the proper thing for him to have done was to get in touch with the Canadian Society of Engineers? A. Not alone with the Canadian Society.

Q. That is one body? A. One force, yes.

Q. Who represents that society? To whom should he have applied? A. In Montreal, at the headquarters, we have a secretary and an assistant secretary, and officers of the society largely resident in Montreal.

Q. What is the name of the secretary? A. Prof. McLeod.

Q. You are not aware that Mr. Stephens has been in communication with Prof. McLeod part of the time, and was as soon as he came here? A. I have been told, from evidence, that he was.

Q. That was quite a proper thing for him to do? A. The correct thing from a Canadian engineer's standpoint, for a private individual coming here and seeking aid would be to follow that course. If it was a state affair he should have had the assistance of the chief engineer of the department, and of the Grand Trunk.

Q. This was not a state affair at that time; it was a private corporation? A. Then I suppose he took the proper course by applying to Mr. Hays.

Q. Then Mr. Tye of the Canadian Pacific would have been a proper man to apply to, and Mr. McHenry; they would have been men that could have given him some assistance? A. No, I think their knowledge of Canadian engineers would be exceedingly limited, they are practically Americans, and comparatively new comers to the country.

Q. I was not aware? A. McHenry is an American.

Q. But not Mr. Tye? A. He is practically so, I have heard.

Q. You would think a man was wise in getting information from them? A. I think he would be quite right in going to them after exhausting every other move. Why I say after, is because I would not care to prey, as it were, on another company's engineering staff, for long term service, without first having considered the feature with the representatives of this, that or the other company.

Q. It was quite clearly understood that neither company would take from the other without consent? A. No.

Q. There is another organization called the Dominion Society, isn't there? A I do not know it.

Q. Do you know Mr. Griffiths, the secretary of that? A. No, I do not.

Q. Do you know about him? A. I have seen the name in the papers in connection with this court's examination at Winnipeg.

Q. You know nothing about his ability? A. No, I know nothing about him.

Q. You were not aware that he had been employed on this survey work? A. I do not know the gentleman at all.

Q. Would you not have thought it wise to get into communication with Ontario Land Surveyors for work in New Ontario. A. Not at the present juncture.

Q. I mean a year ago? A. The land surveyors do a specific class of work, just as engineers do, and an engineer looking for a railway line is looking for one object but a surveyor is laying off say an arbitrary six-mile block, according to Act of Parliament while the engineer has to go through hundreds of miles before he gets the location line he is looking for.

Q. If Mr. Stephens communicated with the land surveyors, you think that was an imprudent thing to do? A. Oh, I don't say it was an imprudent thing to do, because many of them are engineers and good engineers. I think that there was no necessity for it, but there was nothing wrong about it.

Q. My learned friend has asked you the advantages that Americans would have over Canadians in doing the work: I suppose that is a matter for the men who were paying the account? A. I should think it would be, but the men who were paying the money should see that they were getting the best value for their money.

THE COMMISSIONER: Q. Do you find Canadian engineers equal in ability to the American engineers? A. Certainly, sir. They are trained in the same way; they are trained more thoroughly, I think. Taking them all through, I think the young men coming on are better trained. The best evidence of that is, we have many of our young men in the States now occupying good positions, a large number, as you will hear to-day.

Q. Then do the United States engineers in any way possess greater qualifications than Canadian engineers? A. The superior engineers, by reason of their contact with men of their calibre in New York and Philadelphia and the larger centres, would naturally know the latest that was being done—be in touch with all the different features; but that is not the theory of engineering; that is just as to some work which may be going on, or some special feature arising in connection with such work. In that way, they would perhaps, through force of numbers and greater amount of expenditure on works in a larger country, know more about such affairs.

Q. I refer to engineers performing the work of locating and constructing this Grand Trunk Pacific Railway; are there United States engineers in that actual work possessed of greater qualifications than our Canadian engineers? A. As a class of scientific men; I think that our locators of railways are as good as any locators to be found in the States or anywhere else, and as rapid in their work, and generally as able. I know that some of my old assistants are very good men. They are doing good work in this country now, and I would not put any American that I ever met before those men.

Q. In the course of the investigation names have been mentioned who were qualified for the first position, that is, the engineer in charge of the whole system as locating engineer; your name was mentioned among the others, Mr. Jennings? A. Yes, sir?

Q. Supposing eighteen months ago this position was offered to you, what position would you be in as to considering that at that time? A. I would have considered it.

Q. You would have been in a position to consider it? A. Yes.

Q. You understand the salary that is given to Mr. Stephens, $7,500 a year? A. Yes.

Q. And you would have considered that at that time if the position had been offered to you? A. It would not have been an inducement to me, simply as a matter of salary alone, but the length of engagement likely to arise out of such an operation as the location and construction of this railway would be, really a matter of serious thought, because it would see me personally

through to the end of my days. It might be different with a younger man, but it would see me out.

Q. You think so? A. I think so.

Mr. Mowat: Q. You mean forty years longer? A. No, fifteen years longer.

The Commissioner: Do you know if there are eminent engineers qualified for the position of taking charge of that work? A. Yes, sir. I think I know a number in this country who are quite able to do it.

Q. Could you mention the names of some, without mentioning all that you know? A. It is impossible for me to mention all. One does not like to particularise, you know.

Q. Mr. Hugh D. Lumsden's name was mentioned? A. Yes.

Q. Do you approve of that name? A. Yes.

Q. Mr. Keating? A. Yes.

Q. Mr. Doucet's name is mentioned; do you know that gentleman? A. Yes. I know the gentleman.

Q. Mr. McLeod's name is mentioned; in fact there were three McLeods' names; do you know the three gentlemen? A. I think so, very well.

Q. Mr. James M. Shanly's name was mentioned? A. Yes.

Q. Other names? A. There are a great many names.

Q. Mr. Carry's name was mentioned? A. Yes.

Q. You know all those gentlemen? A. All of them.

Q. What do you say with reference to their ability to perform that work? A. I think that the majority, at all events, of the gentlemen whose names you have mentioned are able to carry out the duties of that office, and I know that there are also others who can do it—many others. I don't care to mention names. I rather think it was not professional, and I wish to base my statement, flatly, that we can get men in this country to do every class of work, including the hydrographic work, which I see was referred to, about a harbour.

Q. That is with reference to Port Arthur, and also with reference to the tidal waters on the Pacific Coast; you consider that we have qualified engineers in Canada for that work? A. In ten minutes time I could get far more than you would need for that work, in this very building, right down-stairs in the City Engineer's office—men that I have had doing hydrographic work for me—and who would be glad to take $2,600.

Mr. Mowat: Q. $3,600? A. $3,600! You could get any of them at that figure.

Mr. Biggar: That is hardly a fair way of putting it, because the engagement was only for a month or two at $300 a month.

Witness: Then you could get ordinary practitioners to attend to it.

The Commissioner: Q. Suppose you had been appointed engineer of this location work, would you have had any difficulty in obtaining the necessary number of Canadian engineers for the whole work as assistants—division, district, assistants in charge of parties, and draughtsmen, levellers, topographers and such as that? A. Assuming that the same scale of fees applied throughout, I do not think there would be the slightest difficulty.

Q. They pay $75 a month and expenses for topographers, levellers and draughtsmen: $100 a month and expenses for transitmen; $150 to $175 for engineers in charge; $250 a month to district engineers; $4,000 to divisional engineers? A. Yes! The figures are a little better than the scale now prevalent in Montana, or prevalent last year, and I think that those salaries are —taking the way such salaries go—reasonable, very good, and sufficient to make a person think of the matter seriously if offered a position of any degree.

Q. What is your opinion of having at the head of such a work as that an engineer who has been sworn to have been under the influence of liquor at various time? A. I think it is a very bad thing to have a man of that de-

scription in charge of any important work. The mere fact of a man taking a glass of whiskey and water when he feels (after hours) that he needs it, I don't consider anything; but as you say he has been under the influence of liquor at times when he should be attending to his official duties, then I don't think that such conduct should be entertained.

Q. Such a man should not be in charge for a moment? A. That would be my personal feeling. I do not know anything about this Mr. Stephens whatever.

Q. Just from your experience? A. From my experience.

Q. As an engineer in charge of large works, that is what I am asking you with reference to? A. Yes. If you undertook to keep a man of that disposition it would be at a great deal of personal discomfort and annoyance. I have had to put up with that, and I speak feelingly about it.

By Mr. BIGGAR: Q. In regard to that question, do you think the question of whether a gentleman takes a glass of liquor or not is to be decided by any one except his employer? A. No. I understood his Honour to say to me "If you were an employer." You understand I am not speaking one word about your man.

Q. Suppose the employer has a different opinion, I suppose he has a right to that opinion? A. Certainly.

Q. He is the gentleman who has to be satisfied? A. Surely, I am not talking about your employer, or this Mr. Stephens' employer; I am answering the Judge's question.

Q. Would you not think that the employer who employed that man should decide whether he should remain or not? A. Most decidedly.

WILLIAM MCKENZIE, sworn, examined by

MR. MOWAT: Q. You are President of McKenzie, Mann & Co., who are constructing the Canadian Northern Railway? A. Yes.

Q. During your business life you have constructed many miles of railway? A. Yes, a good many miles.

Q. In constructing the Canadian Northern Railway at present, do you find any difficulty in obtaining Canadian engineers for the purpose? A. No, I don't know very much about engaging the engineers beyond appointing the chief engineers.

Q. Who is your chief engineer? A. Our chief engineer in the west is M. H. McLeod.

Q. Who are your other engineers? A. Our chief engineer down in the Maritime Provinces is Tom H. White, and our chief here is H. K. Wicksteed.

Q. Can you tell us about how many are on the staff of the Canadian Northern Engineering Department? A. No, I don't know that I can. That is in the department of the engineers, and the employing of the engineers and help is all left to the chiefs.

Q. Approximately, what is the length of the Canadian Northern construction within the last three or four years? A. Well, we have constructed, on the average, about two or three hundred miles for the last three years. We have made a great many surveys outside of the construction.

Q. Reconnaissance surveys? A. They had a good many parties out, I don't know how many.

Q. In order to ascertain the best available line? A. Yes. We have now under construction probably a thousand miles of railway.

Q. Do you employ engineers from the United States? A. I don't know that there is a single engineer on our work from the United States. I don't think there is. I don't know of any.

Q. Then the whole of the construction I suppose is over 1,200 miles? A. Oh, in the last four or five years we constructed over a thousand miles —1,000 or 1,200 miles.

Q. Through all kinds of country? A. Well, yes.

Q. Prairie and hilly? A. Yes, we had a pretty roughish country between Lake Superior and Winnipeg.

By Mr. Biggar: Q. None of your lines are being constructed by American contractors, either? A. No, not that I know of.

Q. All Canadian contractors? A. Yes, Canadian or British.

By the Commissioner: Q. You heard the question I put to Mr. Jennings with reference to retaining a man in the service, as an employer, who had been sworn to have been under the influence of liquor during business hours: what is your practice? A. Well, it depends a great deal on the man. In fact I don't know of any of our engineers that ever was known to be the worse of liquor on the work, or even off the work. We never had that case to deal with. We like to have sober men about the work.

Q. You prefer sober men about the work? A. We prefer it, of course.

Reuben W. Leonard, sworn, examined by

Mr. Mowat: Q. You are a civil engineer of long practice in Canada? A. Twenty-one years.

Q. A graduate of the Royal Military College? A. Yes.

Q. What is your present position? A. I am engineer in charge of construction for the Hydraulic Power Works for the Hamilton Cataract Power, Light and Traction Company.

Q. In the course of your professional work have you had a considerable amount of railway engineering? A. Yes, about probably 15 or 16 years.

Q. Does that include location of railways, as well as construction and maintenance? A. Yes.

Q. What have your achievements been, shortly stated? A.I was chief engineer and manager of construction of the Montreal and Ottawa Short Line for the Canadian Pacific. I was chief engineer and manager of construction for the St. Lawrence Delaware Railway, that is the extension into Quebec Province and into Montreal. I was chief engineer and general manager of the Cape Breton Railway.

Q. Then you seem to have occupied the position of chief engineer in many undertakings? A. For several years I have been in charge.

Q. Did you hear the letter I sent to Mr. Jennings, in which I stated that Mr. Stephens said that he only employed American engineers on the Grand Trunk Pacific Railway when he had exhausted every effort to get Canadians? A. Yes.

Q. That he could not get Canadians to do it? A. Yes.

Q. You heard that statement? A. Yes .

Q. What is your experience of the matter? Or did you let it be known to him that you were available for employment on this railway? A. In the latter part of March, 1903, I called on Mr. Hays, who requested me to go and see Mr. Stephens, as he thought that Mr. Stephens would like to see me. He sent one of the young men from his office up to introduce me to Mr. Stephens, and Mr. Stephens discussed with me his proposed organization for his engineering staff.

Q. You had never met Mr. Stephens before that? A. No. He stated that he was thinking of appointing five district engineers to cover the whole territory, and asked me if I was available to take one of those positions. I told him I was, and he told me that he was not then in a position to actually make the appointments, but he would communicate with me when he was.

Q. Then did you leave him? A. I left him, and left him my address.

Q. Which was then? A. Brantford.

Q. Did you ever see him again, and did you ever hear from him? A. I did not hear from him, and a few weeks later when in Montreal I called upon him. He told me he had appointed his entire district, and all his district engineers. I asked him if my name was amongst them; he said no.

Q. Then you accepted your present position? A. I accepted the position which I am in at present.

Q. I am told, in fact I think Mr. Stephens said, that he did offer you a position later on? A. In July, 1903, I got a telegram from him, which I have. (Produced and read, as follows:—"Montreal, July 16, 1903. If you are not permanently engaged I would like to get in touch with you." Reply from St. Catharines, "Am profitably engaged here, but not bound to reject better things." Reply, July 24, "Think can offer you division at $4,000. Can you meet me here, St. Lawrence Hall, Sunday, to talk it over, returning Sunday night? If so, pay fare and take receipt. J. R. Stephens.")

Q. Were you in a position to accept that offer? A. I met Mr. Stephens in Montreal and talked the matter over with him. I told him I could not afford to accept it.

Q. Could you have accepted at that sum in April or June? A. Yes.

Q. You would have been willing? A. When I first applied.

Q. Then must we infer that your present position is more profitable, or otherwise? A. My present position, together with my consulting practice is more profitable.

Q. Than the $4,000? A. Yes.

Q. And was that your reason for declining? A. That was my reason.

Q. Your practice of 21 years has brought you in contact with the different engineers practising in Canada? A. A large number of them.

Q. Would you state to the Commissioner names of those who would be available for these chief staff places, numbering nine, on the Grand Trunk Pacific? A. Well, I would prefer not to give names; it is hardly professional.

THE COMMISSIONER: Don't include your own, and then you can give all the others.

Mr. MOWAT: Q. I suppose if I were to ask you if you were competent or capable of taking a position as chief engineer, your answer I suppose must be Yes? A. I would not refuse the position.

Q. Then others? A. I know of at least nine or ten of my own acquaintances whom I assume capable of taking the position of chief engineer of that road in Canada.

Q. Do you mean by reason of your personal knowledge of their engineering achievements? A. Yes.

Q. And their experience? A. Yes.

Q. I don't think it could be said that any whom you might leave out would be offended by your not mentioning them, so I think I will ask you to name who those people are, because we are here for that, and have to get over little matters of delicacy sometimes? A. I think there is the chief engineer of the Canadian Northern, Mr. M. H. McLeod; he is a very good man. There is John Woodman of Winnipeg. There is George A. Mountain of Ottawa; J. M. McCarthy of Quebec; Cecil B. Smith of Niagara Falls.

Q. He is employed, I think, in one of the power companies an engineer? A. Yes. There is A. E. Doucet. There is George H. Massey of Montreal. There is Hiram Donkin of Sydney, C.B. There is E. H. Drury, at present in Mexico I believe; and there are many others.

Q. Then do these names that you have mentioned apply to the position of chief? A. I think there are many among those names that would make a good chief engineer.

Q. Would the number for district and division be greater or less? A. Greater.

Q. Then what is your answer as to this averment made by Mr. Stephens, that he had exhausted every effort to get Canadians fitted for the jobs? A. If he earnestly tried, I don't think he tried judiciously.

Q. Did you hear Mr. Jenning's evidence? A. Yes.

Q. As to the means that might be adopted in order to obtain Canadian engineers? A. Yes.

Q. Do you agree with that or have you anything to add to it, or what is your opinion? A. It is naturally difficult for a man like Mr. Stephens, coming into a new country to him, to obtain the local knowledge which we possess of the engineers in the country, and he would naturally be dependent upon sources of information the value of which he would have to judge for himself. Those sources of information I think were well outlined by Mr. Jennings.

Q. It means getting in touch with the heads of the engineering profession in Canada? A. Yes.

Q. Did you hear Mr. Jenning's answer as regards the relative availability or ability of engineers who have been accustomed to rough work in Northern Canada in comparison with those who have only had experience in more temperate and easy countries? A. I think that a man's experience in our north country is a very, very valuable asset when his capabilities are considered as against those of a stranger.

Q. There is something to learn, then? A. A very great deal to learn.

Q. Is there anything else you would like to add? A. No.

By Mr. Biggar: Q. Was the position that Mr. Stephens offered you in July vacated by some one else, or was it a new position? A. I don't know.

Q. You don't know how many men were appointed earlier in April? A. I do not.

Q. There was no one, so far as you know, being replaced by you in July? A. I don't.

Q. Did you mention the names of any of those gentlemen to Mr. Stephens when you saw him at any time? A. I recommended to Mr. Stephens several men who had been on my staff at various times; I have forgotten how many or who they were. I remember writing to him. I think his records would show the men that I recommended to him. I don't know whether they were employed or not.

Q. You did not mention any of those names that you have given us to-day? A. I don't remember mentioning any of those names to him.

Q. Have many of those men had experience in that part of the country where this work was to be carried on? A. Nearly all, if not all of them.

Q. Mr Doucet for instance? A. Yes, Mr. Doucet, wide experience.

Q. In the western part of Canada? A. Yes, he was on the north shore of Lake Superior in 1883, 1884 and 1885 with me.

Q. I suppose you have heard of his being an applicant for the position of chief engineer to the Government part of the work? A. I have.

Q. And has been for some time? A. I have seen it in the papers.

Q. The same applies to Mr. Mountain, I think? A. I have seen it in the papers.

Q. And he has since been appointed to the Railway Commission? A. I don't know.

Q. Yes, he is engineer?

THE COMMISSIONER: Q. Where was the division that Mr. Stephens offered you? A. At Winnipeg.

Q. That was in July, 1903? A. Yes.

Q. Were you aware that at that time that that was being filled by Mr. Kyle? A. No.

Q. Did he state that? A. No.

Q. Did not mention that he had already appointed Mr. Kyle, in February before that, to that position? A. No.

Q. Do you know Mr. R. R. Carr-Harris? A. Yes.

Q. Do you know that he applied for a position on the Grand Trunk Pacific Railway? A. He told me so.

Q. Yes, I found his application; what is his ability for the position for which he applied, do you know? A. I think his application was for an engineer in charge of a party, and for several minor positions.

Q. Transitman? A. Transitman and draughtsman. He is doing instrument work and office work for me at the present time, and he is an excellent man at that sort of work. I think that his experience has not been sufficiently great to warrant his application as a man in charge of a party.

Q. But as an instrument man you think he is perfectly capable for that work? A. He is very efficient.

Q. He applied for that position as instrument man and as draughtsman; he applied on several occasions? A. He told me he applied twice.

MR. MOWAT: Q. He is a graduate of the Royal Military College? A. He is.

THE COMMISSIONER: Q. Do you know of others that applied and were not able to get their positions? A. No.

Q. But you speak strongly of Mr. R. R. Carr-Harris as an instrument man A. A very good man indeed.

Q. And capable for this work on the Grand Trunk line? A. Very capable.

By Mr. BIGGAR: Q. You say that Mr. Carr-Harris applied for several other positions; you mean those to be filled by students? A. I understand from Mr. Carr-Harris that he sent in his application covering two or three positions, one of which I understood was to take charge of a party.

Q. That position to be filled by himself? A. Yes.

Q. Was he to fill the others? A. Yes. He meant to get any one of those positions for himself. He explained to me that he made his application.

MR. MOWAT: Here we find it in the list furnished us by the Grand Trunk:—Robert Ralph Carr-Harris, Royal Military College Kingston, July, 1903; and another application from St. Catharines in May, 1904.

THE COMMISSIONER: Q. But it was for any one of those positions, not for chief assistant or assistant engineer? A. He explained to me that his application was meant to cover any position that Mr. Stephens should judge him capable of filling.

JOHN H. ARMSTRONG, sworn, examined by

MR. MOWAT: Q. You are an engineer of long experience? A. Yes.

Q. How many years? A. Thirty years.

Q. In Canada chiefly? A. In Canada, and partially in the United States.

Q. In railway engineering? A. Yes.

Q. To what period of your career have you devoted yourself to railway engineering? A. Twenty-six years.

Q. Was that experience general, including location as well as construction? A. Yes.

Q. What chief positions have you held in railways? A. I have been connected with the Grand Trunk Railway, the Great Western Division, as assistant engineer in 1878; Wellington, Grey and Bruce Railway; Hamilton and North-Western, Resident Engineer; Canadian Pacific, as Chief Engineer of Construction in the Mountain Division.

Q. Extending over? A. 200 miles.

Q. What difficulties did that bring you up against? A. All the difficulties in connection with location and construction of mountain work, heavy rock work and tunnels, and transportation of supplies.

Q. Then on an unbroken wilderness? A. Entirely.

Q. No railway to carry supplies along to different points? A. No, we built our own roads to carry the supplies through the mountains.

Q. To what extent would that carrying supplies be? A. Well, we carried the supplies for three thousand men across the summit of the Selkirks in winter.

Q. I suppose that represents a good deal of money? A. A large sum of money—$75,000 or $80,000 worth.

Q. How long did that employment as Chief Engineer of Construction there continue? A. Three years.

Q. That would bring us down to what year? A. 1887.

Q. Then after that what has been your experience? A. After that I returned to the mountains and took charge of this construction of the snow sheds.

Q. For how long did that last? A. One year.

Q. Then what? A. I went on the Maine Short Line.

Q. C. P. R.? A. Yes.

Q. On location? A. I was on construction then.

Q. How long? A. One year.

Q. Then? A. I went on the Quebec Central, locating a line from St. Francis to Lake Megantic.

Q. How long? A. One year.

Q. What length of territory? A. 76 miles.

Q. Then? A. Then I went into private work here in the City of Toronto for several years.

Q. And then lately? A. Oh, I have been on the Niagara, St. Catharines and Toronto Railway, and the Hudson Valley Railway of New York, the last four years. The two companies are operated by the same board of directors.

Q. One on one side of the Niagara and the other on the other? A. Yes.

Q. Were you available last year for a position in the Grand Trunk Pacific location work. A. I was.

Q. I would say you were a man of 45 to 55? A. 52.

Q. Did you apply, or let it be known that you were available? A. I applied to Mr. Hays in December, 1902, for the position of engineer in charge of the work.

Q. Would that position alone have been acceptable? A. That is a similar position to what I had on the Canadian Pacific formerly.

Q. Did you have any testimonials to show him what your capacity was? A. My application was endorsed by the Hon. George A. Cox.

Q. Senator Cox was your backer: what was the result of the application? A. I received a reply from Mr. Hays stating that he had received my letter to Mr. Cox, and that as soon as the work started he would advise me.

Q. Did he advise you? A. No.

Q. Did you lie by, or did you give any other intimation that you were available? A. In March, 1903, I wrote my application to Mr. Hobson, and

I think between the time I wrote Mr. Hobson and the time that he received it, Mr. Stephens was appointed.

Q. Backed by the same people, or others? A. Senator Gibson advised me to write to Mr. Hobson.

Q. And on his recommendation you did so? A. I did so.

Q. Have you got the testimonials which you sent in? A. Well, I did not send any testimonials in, with the exception of making the application to Mr. Hobson. Mr. Hobson finally referred it to Mr. Stephens.

Q. Then here is a letter dated April 3, 1903, from Montreal, the Grand Trunk Pacific System, Engineering Department:—"Mr. J. H. Armstrong, St. Catharines. Dear Sir: Replying to your letter of March 30th, making application for position with the Grand Trunk Pacific, and referring to Mr. William Gibson's letter to Mr. Hobson on the same subject, I wish to inform you that your letter has been placed on file for consideration when our work is further advanced." And the letter enclosed from Mr. Gibson, dated March 30th:—"J. H. Armstrong, St. Catharines. I wrote a very strong personal letter to Mr. Hobson on Saturday night asking him to use his best efforts with Mr. Stephens to have you appointed to the Grand Trunk Pacific, pointing out to him your ability as an engineer in construction of field work of any kind, and as soon as I hear from him I will send you his letter."

Q. Although nominated by Mr. Cox and Mr. Gibson, you did not receive the position you desired? A. That terminated the correspondence with Mr. Stephens and myself. I have had correspondence with Mr. Hobson since that, that is, within the last month. He replied to me stating that he had nothing to do with the appointments whatever, that Mr. Stephens made them, and that he had nothing whatever to do with them.

Q. That the whole matter was in Mr. Stephen's hands? A. Yes.

Q. At any rate, that letter of April 3rd from Mr. Stephens, stating that he had placed it on file, was the last you had heard? A. Yes.

Q. Were you in the room to-day when Mr. Jennings and Mr. Leonard were giving their testimony? A. I was.

Q. You heard what had been sworn to by Mr. Stephens, that he only employed Americans for chief officers of his staff because he had exhausted every means to get Canadians, and he could not get Canadians to do it; what opinion have you to offer on that statement, outside of your own case? A. Outside of my own case I am perfectly satisfied that there are engineers in Canada to fill the positions that Mr. Stephens has filled by Americans.

Q. Do you say that from reputation, or your own personal experience of their achievements? A. My own personal experience.

Q. Would you have any objection to naming them to the Commissioner? A. A large number have been named by the witnesses that preceeded me.

A. A large number of those whom you would approve of? A. Yes.

Q. Are there any others? Did you go over the list of the Canadian Society, or anything of that sort? A. No, I can give you the names of engineers who were associated with me on the construction of the Canadian Pacific, and had all the experience of construction of mountain work, and prairie work as well.

Q. Including both? A. Yes.

Q. Kindly let us see them? A. A namesake of mine, Mr. H. W. D. Armstrong—these gentlemen were all associated with me on construction work: James A. Dickie, W. Z. Earle, C. H. Keefer, Matthew Neilson, S. H. Sykes, D. S. Noble, R. A. Hazelwood, Henry Carry, J. K. Markill, A. B. Stephens of Collingwood, A. Brunel, Charles A. Stowis of Victoria. These men have all been associated with me, either on the same road or under my charge on the work that I have charge of.

Q. And you know their worth? A. I know their worth.

Q. Are they all on the active list yet? A. I am satisfied they would be on the active list, with the exception perhaps of Mr. Earle. I understand that he has been appointed manager of the St. John Railway.

Q. But what I mean is that physically and mentally and from the age standard they are all available? A. Yes.

Q. Did you hear Mr. Jennings and Mr. Leonard speak with regard to the means to be taken by a stranger coming here in order to familiarize himself with those who are in engineering practice? A. Yes.

Q. What have you got to say on that? A. Well, I agree with him to a certain extent. I think that when a stranger comes into the country he should apply to the Secretary of a Canadian Society, professional society, if he requires professional assistance; but in the case of Mr. Stephens it seems to me that he is in an entirely different position. He came here as Assistant Chief Engineer to Mr. Hobson. Now, Mr. Hobson I think could have given him all the information he wanted, without requiring to apply to anybody. He was the Chief Engineer of the Grand Trunk Railway, a man as you know of large experience; he knows all the engineers in the country, or should know them, and he could have given him the information if he had asked it.

Q. But Mr. Hobson did give information, for instance, about Mr. Thomas Hillman; do you know Mr. Hillman? A. I know him well; I have known him for 35 years.

Q. What are his achievements? A. He is thoroughly capable of taking the position, but I don't think he is available now.

Q. Mr. Hillman was one of the chief constructors of the St. Clair Tunnel? A. Yes; we were together three years.

Q. I have shown you, perhaps, that Mr. Hobson's recommendations perhaps would not be as good? A. Well, I simply have to say, what he confirmed himself in his letter to me, that he had nothing to do with the appointments. He told me that he had nothing whatever to do with the appointments, it was out of his hands altogether.

Q. Your notion is that if he had had something to do with the appointments, things might have been otherwise? A. I certainly do.

Q. You spoke to me a few minutes ago about the difficulties of commissariat, the transportation of goods; now, as regards Canadian engineers who have had experience of new work, and dog train work, and that sort of thing in an undeveloped wilderness, or rather unexplored country I will put it, what is your opinion as to the advantage to be got from engineers who have had experience in Canada, and those who have had none? A. It is quite evident those who have not had the experience have not the knowledge.

Q. Is there a knowledge required? A. There certainly is.

Q. Cannot it be picked up at once? A. Not at all.

Q. In what way would it be of a disadvantage so far as work goes? A. Why, in the organization of the staff, and the management of the supplies for transportation over the route to be surveyed, the method of transporting the supplies and camping outfits, and all that sort of thing.

Q. Take Mr. Knowlton; he is division engineer at North Bay; he was down at Richmond, and he heard there were positions going, and he came up to Montreal backed by testimonials; he went to Mr. Stephens' office and was employed there at $4,000 a year before he left the office, and he has gone to North Bay, and he swears here that that is an exceedingly difficult country, it is a wilderness, and so on, and his position is chiefly in connection with managing the transportation, keeping the men supplied, and so on? A. Is he an engineer?

Q. Oh, I think he is an engineer? A. They generally have a man to manage the transportation of supplies.

Q. They generally have a man in addition? A. Yes. The engineer in charge of a division should have the executive ability to instruct his staff how to locate their line and obtain the proper grades and curvatures.

Q. And not be troubled with commissariat? A. Not in detail. I know the Richmond country, however, I know that it is partly a mountainous country.

Q. Does that deter Canadian engineers? A. No, nothing similar to the mountains of the Pacific; they are very much lower.

Q. A Mr. Gaylor was appointed in charge of party No. 7, Assistant Engineer up near Port Arthur, at $175 a month; when he applied he was told by Mr. Knowlton that as his division was within the Government-built section, that he had to be careful about the appointment of Americans, and that that would be in his way; Mr. Gaylor wrote back saying, "I call myself of St. Catharines, if that will do me any good," and a few days afterwards Mr. Gaylor was appointed to charge of this party; do you know Mr. Gaylor? A. I do.

Q. Where did you meet him, and what do you know of him, and is he of St. Catharines, or is he an American citizen or a British subject, or what do you know of him? A. He was assistant engineer for me on the Hudson Valley Railway.

Q. In New York State? A. Yes, had charge of six miles there on construction.

Q. What had his previous attainments been? A. Before I put him in charge of the six miles he was transitman.

Q. Somewhere else in the States? A. No, on that line, transitman for me.

Q. And where did he come from? A. He came from Mechanicville, New York.

Q. Was he an American subject? A. Yes.

Q. And not of St. Catharines? A. No, never been there.

Q. Is he a man of attainment as a locating engineer in charge of a party? A. I would not say that he could assume that office.

Q. When was he employed by you? A. In 1902.

Q. And when did his employment cease with you? It terminated in 1902.

Q. Then did you ever hear from him after that? A. Yes. He went to Richmond and was engaged on an electric railroad there in Richmond, and I fancy that is how he came to meet Mr. Knowlton, and I think about a month or six weeks before he went north on the Grand Trunk Pacific he wrote me a letter applying for a position.

Q. Another position with you? A. Well, he did not specify where, but he had applied to me for a position, and I wrote him at the time and told him I had not any opening for him.

Q. And that was how long before he was employed by Mr. Knowlton? A. I think about a month or six weeks previous to the time he went on the Grand Trunk Pacific.

Q. Under Mr. Knowlton? A. Yes.

Q. He is now receiving $175 a month and expenses; what was he receiving with you? A. As transitman he was receiving $90 a month, and when I put him in charge of the construction work I gave him $100.

By Mr. BIGGAR: Q. Do you know whether Mr. Gaylor is still employed? A. I don't know.

Q. Don't you know that he was dismissed for misrepresenting that fact to Mr. Knowlton? A. No.

Mr. Biggar: I think my learned friend ought to say that is the fact.

Mr. Mowat: No, I don't know it at all.

Mr. Biggar: Is it not in evidence that Mr. Knowlton said he dismissed him because he had misrepresented to him that he was a Canadian?

The Commissioner: That is what he stated he would do if I showed to him that he was an American. He said he would not have a man with him who misrepresented the truth.

Mr. Mowat: I understood Mr. Knowlton to say, "If he has deceived me in this he will deceive me in other things, and I will dismiss him."

The Commissioner: That is what I understood, that he would dismiss him because of being deceived in that connection.

Witness: I would like to make a remark, if it is not objectionable. I do not see very well how Mr. Gaylor could deceive Mr. Knowlton. They both came from the same place. There is no doubt in my mind that Mr. Knowlton employed Mr. Gaylor because they were both in Richmond.

The Commissioner: Q. Were they engaged in the same place in Richmond? A. Not on the same railroad.

Q. There is no doubt they knew each other? A. No doubt about it.

Mr. Biggar: Q. You don't know whether they knew the nationality of each other? A. No, but I assume that.

Q. You would not want us to assume that because you are engaged on a road in the United States that you are an American, would you? A. No, sir. I am not speaking against American engineers at all. I am here to give evidence on what I am asked, that is all.

Q. You are employed over there now? A. No, not now. I am employed in St. Catharines at present.

Q. How long is it since you were employed in New York. A. A year.

Q. You were employed there how long? A. Three years.

Q. You were not deported back from there? A. I was connected with the St. Catharines, New York and Toronto Railway, and the directors, who are partly Toronto gentlemen, sent me over there. Mr. William Hendrie sent me over there.

Q. You have not been deported on account of the Alien Labor law? A. No.

The Commissioner: Q. I am desirous of knowing whether Mr. Knowlton knew Mr. Gaylor in Richmond? A. I cannot answer that question.

Q. You don't know whether he knew Mr. Gaylor in Richmond or not? A. No.

Q. Were they on different lines? A. They were.

Q. What line was Mr. Knowlton on? A. He was on the line controlled by Mr. Webb, the Richmond road, but Mr. Gaylor was on the Richmond Street Railway, electric line.

Q. At the same time? A. At the same time.

Q. That is two years ago? A. Two years ago.

Edward H. Keating, sworn, examined by

Mr. Mowat: Q. Along with others who have been called here, who are eminent in your profession, I will have to ask you to give me your experience and achievements as a civil engineer; although we all know it, still it has to go down on record; how many years? A. I have been engaged in engineering pursuits since 1864.

Q. Railway engineering? A. Not exclusively.

Q. A large part of it? A. About ten years in railway work.

Q. Including location of railways? A. Location, exploration and construction.

Q. Have you been President of the Canadian Society of Civil Engineers? A. Yes.

Q. You have heard the statement which I read to Mr. Jennings and others as to the explanation Mr. Stephens had given for only employing, with one exception, Americans as his chiefs of staff— he said because he had exhausted every means to get Canadians—could not get Canadians to do the work; have you any opinion to offer as to that? A. I don't know what means he took, but I think if any very great effort had been made he might have succeeded in getting Canadian engineers.

Q. Any very great effort? A. Well, any sincere effort.

Q. Do you say this by reason of your personal knowledge of the achievements of Canadian engineers? A. Yes.

Q. What would you have done as an employing engineer? A. Coming here as a stranger, I think I should have put myself into communication with some of the oldest engineers of repute, well-known engineers who had been engaged in railway work, and I would have got them to give me the names of men whom they could recommend. That would be one way. There are several ways in which it could be done. That is a method I think I should have adopted.

Q. Mr. Stephens says he did consult two people, namely, Mr. McHenry and Mr. McNabb, of the C. P. R.? A. I don't think those are the kind of men I would have consulted at all.

Q. Why? A. Mr. McHenry was a stranger in the country.

Q. Of what countryman? A. I have understood he is an American citizen; and Mr. McNabb I think—if it was the gentleman I have heard it was—was a draughtsman, or in charge of the draughting office of the C. P. R. at Montreal.

The COMMISSIONER: Q. Mr. McNabb is of the Grand Trunk in Montreal; Mr. Tye is of the C. P. R.? A. Well, there is no harm in applying; it is just as well to get the opinion of a man like Mr. McNabb, but I think I should have gone a little higher up, and applied to such a man as Sir Sandford Fleming, and Mr. Schreiber, and other engineers occupying prominent positions.

Q. And Mr. Hobson? A. Mr. Hobson, certainly.

MR. MOWAT: Q. Mr. Stephens says there was an arrangement made between him and the heads of the C. P. R. that he would not employ anybody from the C. P. R. without letting the C. P. R. heads know it—any of the younger men; what effect, in your opinion, would that have? A. That is putting a handicap on the younger men in the C. P. R.

Q. Why? A. I think younger men have a perfect right to look forward to promotion in their profession, and not stay in the subordinate positions they occupy if they are capable of filling better ones.

Q. Have you experienced any disposition on the part of the chief engineers in your profession to keep younger men down, and tied to one position? A. I have found them sometimes to want to retain their services when they are useful, and not want them to leave them, of course.

Q. Is that the only means you would exhaust before you would make a statement such as Mr. Stephens made? A. No, I should not. I think I should carry the matter a little further. There are several ways in which enquiry might be made. Notice might have been published in the "Canadian Engineer" calling engineers' attention to the fact that these surveys were going on, and the services of competent engineers would be required. Another method would have been through the Canadian Society of Civil Engineers, by sending out circulars.

Q. Obtaining the lists of members? A. Obtaining the lists of members and sending out circulars, either directly or through the agency of the Secretary. And another way, common way of course, would be to advertise

in the papers of Canada, which has certain objections; some engineers object to it.

Q. As being beneath their dignity? A. Yes.

Q. The colleges you would look on as available for the younger men? A. For junior positions, yes, I should certainly apply to the engineering professors of the different colleges for names of suitable men for the junior positions.

Q. Then part of the scope of this enquiry is to find out whether there are Canadians available for the leading positions in location work; can you tell us the names of those whom your familiarity with the profession allows you to say are available? A. Of course there are certain objections to mentioning names, but I know of some men personally who I think are available.

Q. Have you got them in your mind? A. Yes. One I think of at present is H. P. Bell of Vancouver: I don't know that he is doing anything at present; he was not a short time ago.

Q. I am not asking you whether they are available, or would accept, but generally speaking would they be tempted by such salaries as are here mentioned—$7,500, $4,000, $3,000, $300 a month—by the month of course, as my learned friend Mr. Biggar points out—and $150 a month, $175 a month in charge of parties? A. I think there would be no difficulty in getting men to fill these minor positions such as you speak of; and as to the other positions, I think there are men available.

Q. Will you give us their names? A. I don't mean to say that they would take them. These are some names I put down of men that I believe are capable of filling the better positions.

Q. Let us have them? A. P. S. Archibald of Moncton— of course I don't mean that I have got them all here, this is by no means complete, I just put these down this morning. There are the two Mr. Armstrongs, in fact I may say there are three, there is J. S. Armstrong of Nova Scotia— these are for the better positions you are speaking of.

Q. Who is your next? A. Alphabetically, there is H. P. Bell, H. J. Cambie of Vancouver; Hiram Donkin, Sydney; W. T. Jennings, Toronto; G. A. Keefer, Vancouver.

Q. Is that a brother of C. H.? A. No, I won't be sure about the initials: it is G. anyway.

Q. The other is C. H., mentioned this morning? A. Well, there is C. H. Keefer, too, of Ottawa. There are numbers whose names I have not got here. John Kennedy, Montreal; Mr. Leonard, St. Catharines; Mr. Lumsden, Toronto; M. H. McLeod, Winnipeg; H. A. F. McLeod, Ottawa; James McDougall, Toronto; George Mountain; C. B. Smith, Niagara Falls; H. K. Wicksteed and T. White, Nova Scotia. These are all good men, and all have had pretty large experience in railway work.

Q. Does that include the location work? A. Yes.

The COMMISSIONER: Q. Your name was mentioned by two or three witnesses down east as capable of filling the position of chief engineer for this line; I suppose you do not disagree with that recommendation? A. Well, it is a position that I would have been pleased if it had been offered to me.

Q. And quite capable of filling, from your experience? A. I hope so.

Q. You believe that; these gentlemen have sworn that they believed you were quite capable of filling that, and you agree with them? A. I certainly would not disagree with them.

Q. Had you been appointed Chief Engineer, could you have appointed all the engineers from the Canadian Engineers in Canada? A. I think without difficulty.

Q. You have considered that question thoroughly so as to be able to answer it in that way? A. I think so, yes.

JOHN GALBRAITH, sworn, examined by

Mr. MOWAT: Q. Dr. Galbraith, I am told that you are a civil engineer of some experience, and that you have been for some years head of the School of Practical Science in connection with the University of Toronto; is this so? A. Yes.

Q. It has been said by Mr. Stephens that he never employed Americans until he had exhausted means of getting Canadians to do this location work on the Grand Trunk Pacific, and that he could not get Canadians to do it; as head of an institution for the training of men for this position, what opinion have you to offer as regards that statement? A. Well, I suppose it must be true, but still I don't think he could have gone about the search in a very successful way.

Q. Did he ever apply to you? A. No.

Q. Then in your School of Practical Science you have a department of Civil Engineering and Surveying? A. Yes.

Q. You train men for railway work? A. Yes.

Q. How many graduates are there of the School? A. At present I think there are about 480 graduates, of which number possibly 280 or 290 have been trained in the Department of Civil Engineering and Mining Engineering, both of which cover the training for railway work—very nearly 300.

Q. How many this year, for instance? A. There were 44 this year.

Q. And that 44 is included in this 280? A. Yes.

Q. Previous to this year there were about 240? A. Yes.

Q. I take that because this employment began last year? A. Yes.

Q. Of this 240 or 280, as the case may be, have many of them gone into railway engineering and surveying and so on? A. I think at one time or another in the course of life since they left the School most of them have been engaged in it. At present I find, as far as I have information in regard to the graduates, that between 40 and 50 are engaged in railway work.

Q. I suppose that is all over the world? A. That is everywhere.

Q. What proportion of those remaining in Canada does your investigation show? A. Of those who have received that sort of training I find that five-sixths are in Canada.

Q. Then do I understand you to say that you consider it part of your duty or your business to keep track of the engineering careers of your graduates? A. We do.

Q. Is that kept on record? A. We have it. I brought a list here of our graduates, with their occupations, and there are some cases in which we cannot get the information, but those are very exceptional.

Q. Your endeavor is to make it as complete as possible? A. There are not over a dozen graduates with whom we are not in touch.

Q. Then is this record available for railway companies who desire to obtain the services of engineers? A. Yes, I have often sent it out to those requiring services of engineers—either experienced engineers, for the older graduates ,or men of no experience, the younger men.

Q. Then if they ask for experienced men I understand you to say you can provide them? A. I can provide them with a list.

Q. And if they ask for men who are recent graduates with more or less theoretical knowledge, you can supply that also? A. Yes.

Q. Are not recent graduates all inexperienced? A. Well, as a matter of fact when a lad comes into engineering he generally has a taste for it, and we find that in addition to the theoretical training that he gets with us, that in many cases he has had practical experience before, and also during vacations. Nearly all our men get work during the vacations, that is, they get out on practical work, so that they all have a little experience. They

get the work of route men, chain men, and to some extent of levellers and transitmen, even though the experience has been before they come to the School.

Q. You are the Principal of the School of Practical Science? A. Yes.

Q. As the name indicates, I presume that you mean that they should get as much practice as possible in the field? A. That is not the case with all, of course, but it is the case with a great many.

Q. Can you name other companies who have applied to you for young men, where you have suggested their names? A. I think we have graduates on a great many of the roads in Canada. We have a great many on the Canadian Northern, on the C. P. R., Temiscamingue and Northern Ontario Railway; we have three or four on the Grand Trunk and Grand Trunk Pacific. I am only speaking now of the graduates before last year's lot. I cannot tell how the 44 men were distributed last year.

Q. You have not got track of them yet? A. Well, we have not got the list yet. That will appear in the next year's list.

Q. How long has the School been in existence? A. Since 1878.

Q. I am told that Mr. Tye, of the C. P. R., was an old student of yours at one time? A. Mr. Tye was one of my first students.

Q. Can you mention those of your graduates who have obtained high positions in railways? A. Of course that is only among the older men that you can find those. J. H. Kennedy of St. Thomas, Chief Engineer of the Vancouver, Victoria & Eastern Road; I am not quite certain; he is that in our calendar, that was our information at the time.

Q. I notice among the list of applicants for position on the Grand Trunk Pacific the name of Mr. J. H. Kennedy of St. Thomas—is that the man. A. Yes, that is the same one. Mr. R. E. McArthur, Resident Engineer on the C. P. R., lately appointed, is one of our younger men; and there are some men occupying fairly prominent positions in the States, such as Mr. Ramer, the Chief Assistant Engineer of the Pittsburg & Lake Erie Road.

Q. Mr. McLeod of the Canadian Northern? A. He is not one of our graduates, no.

Q. Here is a list furnished by the Grand Trunk Pacific people, of applicants from Canada who have applied for positions; I think it is important that you should look over that list and tell us what you know of their attainments? A. Well, I am sorry to say that I am not sufficiently in active touch with most of our prominent engineers to be able to form very much of an opinion. I am quite certain, however, that if I had to choose a staff, that I should have no difficulty at all in seeking the right people from whom to get my information, and I think that I would be successful in getting it. I feel no hesitation at all in saying that.

Q. What course would you take if you had come here as Mr. Stephens did, a stranger? A. Well, I suppose I better imagine myself going to the States on a mission of that kind. I think I would go in the first place to New York, to the headquarters of the American Society, and I should——

Q. But he is not a member of the American Society. A. Well, but I think I could get information in any way, and I should find out who were the prominent and independent engineers, and I should get introductions to them.

Q. You put in the word "independent" there? A. Yes; in other words, I should not put myself in the hands of men, if I could avoid it, who wanted positions on this work. I think there is a sufficient number of engineers of prominence in any country from whom information of this kind can be got in any country as long settled and civilized as Canada, say, and the

States; and I don't think that a stranger, especially a railroad man, would have the slightest difficulty in placing himself in communication with reliable sources of information. That would be the first thing to do, and after that he could get names from this person and that person, and choose around as he thought best; he could use his own judgment; but I don't think there ought to be any difficulty even for a stranger. I know a Canadian would have no difficulty at all.

By Mr. BIGGAR: Q. Are there many of your 240 among those whose names are mentioned to-day, that are competent to fill these important positions? A. I think there are some. Of course you must remember that I cannot name a great many, because the men who are able to fill the most important positions must be men of years in experience.

Q. I am not asking you to name them; I am asking you, did Mr. Jennings or Mr. Leonard or Mr. Armstrong mention any of those 240 that you say were ready to take part in this work? A. No, for the reason that I have just given you—that I was trying to give, at least, when you stopped me. What I wished to say is this, that there are a few prominent engineers among our early graduates—there are not very many—and up till ten years ago the number of students that we had was very small, and it is increasing now very largely, and now the numbers are such that among the junior men there are large numbers, and those are largely these 240.

Q. That is, capable of filling the moderate positions, but not the more important? A. Well, we can get some for the more important positions.

Q. Later on, do you mean? A. No, now. I don't know whether they would take them or not—that is another question—but if I had been asked I certainly should have looked among our own men. I know some men that could take any position at all in connection with this work, among our own graduates. I don't know whether they would be willing to exchange present positions if offered—that is another question.

Q. What I was asking was simply whether any of those names mentioned this morning were included in this 240? A. I don't think so.

Q. Those who graduated from the School of Practical Science who wished to become engineers would join the Canadian Society and become members of that Society, would they not? A. Well, I regret to say that that is not the case. I think it is the case more in Montreal than in Toronto.

Q. That is the recognized Society of engineers in Canada, is it not? A. Well, engineering is not a close profession yet. Most of our older engineers belong to the Society. The young men, though, as a general rule, a great many of them, do not think of joining for a good many years.

Q. But the older men do? A. Yes, nearly all the older men.

Q. Then any one communicating with that Society would get in touch with your older graduates? A. With some of them, certainly.

The COMMISSIONER: Q. Did you know Mr. J. H. Kennedy? A. I know him very well.

Q. He is now Chief Engineer of the Vancouver, Victoria & Eastern Railway? A. I believe so.

Q. Yes. I have that information from him; he was an applicant for a position on this Grand Trunk Pacific, but his application was not answered after Mr. Stephens' appointment; what is his ability as an engineer? A. He is a man of long experience; he graduated in 1882 with us, 22 years ago, and since that time, as far as I know, he has been constantly employed.

Q. Do you know his signature? Here is a letter that I received? A. I am not sure that I would know it; I would not care to swear to his signature.

Q. In answer to a letter that I forwarded to him, however, he stated that he had addressed Mr. Charles M. Hays asking to be considered a candidate when an engineer would be appointed to take charge of the British Columbia work; that he received a very courteous reply stating that the letter had been referred to Mr. Stephens, from whom he would hear direct, or something of that sort; however, he did not receive any reply from Mr. Stephens, and had had no further correspondence with any one, but that Mr. Van Arsdoll was appointed Engineer for the district west of Edmonton; do you know whether Mr. Kennedy would be qualified for that position? A. I have not the slightest doubt at all.

Q. Mr. Van Arsdol was an American citizen who has since been deported; and you think that from your knowledge of Mr. Kennedy he would be well qualified for that position? A. Oh yes, he is a good engineer; I have no hesitation in saying so.

Q. Do you know whether the United States engineers possess any qualifications superior to Canadian engineers? A. Well, I think they are quite as good as our own. There is one thing, though, that I feel, that their training has been somewhat different, and that the training and experience of our men suits them possibly better for work in the bush, and for the kind of work that is to be done on the Grand Trunk, than the experience of the Americans. I don't think they have had as much experience in work such as this is, as our own men. I have a very high respect in every way for American engineers, and have no doubt that in many cases their own experience is better than ours; I must say that. It just depends on circumstances.

Q. But for the work of the Grand Trunk Pacific Railway? A. For the work of locating the Grand Trunk Pacific Railway I have not any hesitation in saying that I think we can get all the professional services that we require in Canada.

Q. And of equal qualifications? A. And of equal qualifications, I thoroughly believe that.

Q. You have considered that question. A. Yes.

Q. And that is your reply to it? A. Yes, I have had about eight or nine years experience in railroad work myself. It is true it is a long time ago now, but I never knew the time that we had to go outside of our own people for that sort of experience.

Q. And the number of engineers to-day as compared with then? A. Of course the number is vast as compared with then, no doubt about that.

Investigation adjourned at 1 o'clock p.m. till 2.30 p.m.

On resuming at 2.30 p.m.

THOMAS E. HILLMAN, sworn, examined by

Mr. MOWAT: Q. Are you a civil engineer? A. Yes.

Q. Of how long practice in Canada? A. About 33 years.

Q. Will you mention some of your work and achievements, positions that you have held? A. Starting in 1870, between five and six years as draughtsman and junior assistant on the Great Western Railway.

Q. Who was Chief Engineer then? A. Under two chiefs—George Lowe Reid and John Kennedy; also under Mr. Hobson. Following that, with the Resident Engineer of the London, Huron & Bruce in 1877. The Brantford, Norfolk & Port Burwell as Resident Engineer in 1878-9. On the Michigan Air Line re measurements and construction work. Chief Assistant Engineer of the Northern Pacific Junction Railway, Gravenhurst to North Bay. On several renewals to some extent, and the Grand Trunk Railway in matters of route renewals and structures under the Chief Engineer. St. Clair Tunnel, Assistant Engineer under the Chief Engineer. And tunnel and power for the Toronto Rubber Company; private work.

Q. Are you now in private practice in Hamilton? A. Yes.

Q. It has been said by some here that they consider your work on the St. Clair Tunnell a great achievement; do you put that among the top work? A. Well, it certainly was one requiring a great deal of application and refinement of work.

Q. And you have ground for thinking that the results in that were great? A. They certainly were.

Q. In 1902, when the location and construction of this Grand Trunk Pacific was first broached, were you available for employment as engineer? A. Yes.

Q. Did you make that known? A. I made an application in December, 1902.

Q. To whom did you apply? A. I applied to Mr. Hays through the Chief Engineer, Mr. Hobson.

Q. What was the result? A. The reply to that letter was from Mr. Hobson. I have the reply that you speak of.

Q. I see here a letter dated December 1st, 1902 from you to Mr. Hays: "Dear Sir: I beg to submit to you my application for a position upon the engineering staff of the proposed Grand Trunk Pacific Railway. With respect to my long experience and capability in construction work on the Grand Trunk Railway System, I have much pleasure in referring you to my former chief, Joseph Hobson, Esq. The nature of my present practice is of such a character as to enable me to place my services at your disposal at comparatively short notice in the event of your favorable consideration of this application." Have you got the answer to that? A. Yes, the answer to that is not from Mr. Hays, it is from Mr. Hobson. "December 2nd, 1902. I am in receipt of yours of yesterday applying for a position on the surveys of the proposed extension of the Grand Trunk to the Pacific Coast. Matters are not so far advanced that appointments on the engineering staff may be made, but you may be sure that when we are ready to begin the surveys I will communicate with you again. I shall be very glad to further your wishes in this matter. Yours truly, Joseph Hobson."

Q. Did you hear from him again, or anybody? A. No sir, not till the following March.

Q. Was that the time that a telegram was sent to you? A. Yes.

Q. Is this the telegram—March 12th, From Montreal—"Mr. Stephens would like to see you in Montreal on Saturday morning re Grand Trunk Pacific surveys. Am sending pass to-night. Joseph Hobson." A. Yes.

Q. And a letter of the same date confirming this telegram, from Mr. Hobson; then did you go to Montreal? A. I did.

Q. Whom did you see, and what happened? A. I saw Mr. Stephens, introduced myself to him.

Q. Did he ask you as to your knowledge of the country, or qualifications, or anything of that sort? A. Yes, he asked me if I was familiar with the country east of Winnipeg.

Q. Did he ask you what you were doing, and as to your present position, or anything? A. Yes, I was asked what I was doing at that time, and I told him I had private practice in Hamilton.

Q. And what was said as to that? A. Well, he thought it was very strange I should wish to give up the private practice and take employment on the Grand Trunk Pacific.

Q. He seemed to know your wishes better than you did yourself, that is what you understood? A. Yes, that is the sum and substance of the interview.

Q. What was the nett result of this telegram of Mr. Hobson's? A. Well, there was no offer made me whatever.

Q. No offer made by Mr. Stephens? A. No.

Q. Did he say they were ready to appoint engineers? A. No, there was no particular conversation in reference to the organization of the staff.

Q. Then nothing definite resulted from your trip to Montreal? A. Nothing whatever.

Q. And did you afterwards hear from him? A. No, I have had no communication with him or the Company since.

Q. I understood Mr. Stephens to say, when questioned about this in Montreal—my learned friend will correct me if I am not right— that he understood from your conversation that you would not be willing to take a position; what do you have to say as to that? A. Well, I can't see that he could possibly have been under that impression. There was nothing said to convey that impression.

Q. There was nothing said by you to convey that impression? A. No.

Q. Your mind had been the same from December, when you first applied, until that time? A. Well, not to the same extent. In December I was really very anxious to make some definite arrangement with the surveying people, the Grand Trunk Pacific, but afterwards my work had developed, got into a little better position, and I was a little more secure as far as prospects for the future.

Q. Not so keen about it in March, but still you would have been willing? A. Oh yes, I had offered.

Q. Was anybody with you when you had this conversation with Mr. Stephens? A. No.

Q. Have you heard the evidence that has been given this morning by Mr. Jennings, Mr. Leonard and others? A. Yes.

Q. What do you say as to the statement made by Mr. Stephens, that he only employed Americans after he had exhausted all efforts to get Canadians to go on this work—apart from your own experience, I mean? A. I don't think he went about it in a very systematic way, to get the selection from the Canadian forces that were available.

Q. In your opinion are there enough Canadians available to do this work? A. In my opinion yes, sir.

Q. Are they inferior to American practitioners, so far as their practice has shown you? A. Well, I have not come in very intimate touch with American engineers, but those I know of compare very favorably.

By Mr. BIGGAR: Q. Is it not possible that Mr. Stephens may have got the impression that you were not anxious for a position at the time you met him in March? A. I don't think so, sir.

Q. That is, I understand, the nature of his evidence? A. I had come a long distance, and was very much disappointed.

Q. He seemed to have had the impression, according to his evidence, that you were not anxious about the position at that time, and as a result the interview did not bring about your appointment; you do not agree with him in that? A. No sir, not at all.

The COMMISSIONER: Q. Did he offer you any position at all? A. None whatever.

Q. Did not ask you what position you were willing to accept? A. No sir.

JOSEPH HOBSON:, sworn, testified:

The COMMISSIONER: Q. You are Chief Engineer of the Grand Trunk Railway System? A. I am.

Q. For how many years have you been Chief Engineer? A. I have been of the whole Grand Trunk for the past eight years—eight years from the first of February.

Q. When the Grand Trunk Pacific System was being considered, were you consulted with by Mr. Hays or any one on behalf of that Company or organization, or whatever you may call it, with reference to the employment of engineers? A. Yes.

Q. When was that? A. Well, I cannot remember the exact date; it would be at the very inception of the work.

Q. That would be in 1902? A. I think it would be, yes.

Q. What positions were there that you were consulted about? A. The position of an engineer to take charge of the surveys, and as I understood it, to be the engineer of the new work.

Q. Did you recommend any one for that position? A. Yes.

Q. Whom? A. Mr. Lumsden.

Q. In consequence of your recommendation what was done, or what took place? A. Mr. Hays asked me to arrange with Mr. Lumsden to call upon him at the Windsor Hotel.

Q. To call upon Mr. Hays? A. To call upon Mr. Hays, to meet him there. Mr. Hays was not living there, but that was the place they were to meet.

Q. You did that? A. Yes.

Q. Did they meet? A. Yes.

Q. Were you present when they met? A. Yes.

Q. What took place at their meeting? A. Well, there was some conversation between Mr. Lumsden and Mr. Hays. Mr. Hays explained what was in contemplation, that is, the extension of the Grand Trunk to the Pacific Coast, and asked him, at least proposed—I don't know exactly how that was; however, he gave him to understand that he wanted to get an engineer to take charge of the work, and asked him if he would accept it.

Q. What work was specified? A. Well, the surveys particularly at that time I think.

Q. Do you remember the amount of salary offered? A. Yes.

Q. How much was offered? A. $4,000.

Q. Did Mr. Lumsden accept or decline to accept the offer? A. Well, Mr. Lumsden, I rather think before the salary was actually named, I rather think that Mr. Lumsden said that he would not be able to accept, that he had made other arrangements, and I think it was after that that the salary was offered; it may have been before.

Q. However, that salary was offered, and the position was that of Assistant Chief Engineer? A. Yes.

Q. Under you? A. Yes. I don't think there was any title specially given, but he was to be Engineer under me; that is what I understood, and that is what he understood I believe.

Q. And the salary was $4,000? A. $4,000.

Q. There is no doubt about that being mentioned? A. There is no doubt about the $4,000 being mentioned.

Q. Then after Mr. Lumsden declined to accept that offer, were you consulted with reference to the appointment of any other gentleman? A. No.

Q. Were you consulted with reference to Mr. Stephens? A. No.

Q. Did you know Mr. Stephens at all before that? A. No. Mr. Hays told me some short time before he did come, that he had been appointed, that he was coming.

Q. That was in 1903? A. It must have been in 1903.

Q. Early in 1903? A. Yes.

Q. Did you know at what salary he was appointed? A. Not at that time.

Q. After he came did he consult with you as to the appointing of engineers along the line? A. No; I think the only person about whom he spoke to me, as far as my recollection goes, was Mr. Hillman.

Q. You had recommended Mr. Hillman for appointment? A. I had recommended Mr. Hillman for appointment, yes.

Q. Did you know Mr. Hillman's abilities? A. Yes.

Q. Qualifications? A. Yes.

Q. What do you say about them? A. They are very high indeed as a constructing engineer.

Q. What about his qualifications as a locating engineer? A. And I believe he is a good locating engineer too, but I speak of him in the highest terms, of his constructive ability.

Q. Do you remember Mr. J. J. Collins, Ottawa? A. No, I don't

Q. He applied to you, but you referred the letter to whom? A. Well, I would refer it to Mr. Stephens.

Q. You referred all those applications to Mr. Stephens? A. After his appointment they were all referred to him.

Q. And in any case other than that of Mr. Hillman, did Mr. Stephens consult with you as to the appointment of any engineer? A. Not to my recollection; I don't think he ever did.

Q. If he had, do you think you would recollect it? A. I think I would, yes.

Q. Do you know Mr. J. H. Armstrong? A. I used to know him years ago.

Q. What do you say as to his qualifications? A. I always understood that he was a good engineer. I never was associated with him in any way, but I always understood that he was a good engineer.

Q. And Mr. H. P. Bell? A. I can't say that I recollect him.

Q. His name was mentioned in a letter from Mr. Schreiber to you? A. Yes, I remember meeting a Mr. Bell, who was appointed in Cornwall a good many years ago, and I sometimes think that he might be the man.

Q. You have a wide acquaintance with the engineers throughout Canada? A. Yes, fairly wide.

Q. Had you been consulted, would you have been willing to give the names of capable Canadian engineers for this work? A. Yes, I would have given the names of any of the men that I considered qualified for the work.

Q. And were there men of that nature within your knowledge? A. Yes. there were men of that nature within my knowledge.

Q. That you were quite willing to recommend for employment? A. That I would not hesitate to recommend for employment.

Q. You understand the positions I refer to? A. I understand the positions under Mr. Stephens.

Q. And were there other names than Mr. Lumsden's that you could have recommended for the Assistant Chief Engineer under you—the position that Mr. Stephens now occupies? A. Well, I have never really thought of it after Mr. Stephens was employed.

Q. But before Mr. Stephens was employed? A. Yes, there were other names.

Q. That you would have been quite free to recommend? A. Yes.

Q. And capable of doing the work that is now being done? A. Yes.

By Mr. BIGGAR: Q. Can you recollect distinctly whether or not Mr. Lumsden did not decline the position before the question of salary was men-

tioned? A. I think he did; yes, I think he declined; he said to Mr. Hays that he had already made other arrangements.

Q. And after that Mr. Hays mentioned what the salary would be? A. I think that was it.

Q. And then I understand that when you and Mr. Lumsden were coming away from the interview, he mentioned that he could not have accepted that salary in any case? A. Mr. Lumsden said that the salary was too low.

Q. Did he give as his reason for declining the position, that he was otherwise engaged? A. Yes, he was engaged at the time Mr. Hays spoke to him.

Q. Mr. McNab is your assistant in Montreal? A. He is the head of the Drawing office.

Q. Is he competent to give Mr. Stephens some assistance and advice in the matter of selecting engineers? A. I don't know, indeed.

Q. You know the fact that he did, I suppose? A. I don't, only by hearsay.

Q. Mr. McNab is a competent man—nothing against him as far as that is concerned? A. No.

Q. I suppose his knowledge of engineers is pretty considerable? A. He knows a great many engineers, no doubt about that.

Q. Do you remember having a conversation with Mr. Stephens in regard to the advisability of selecting some Ontario Land Surveyors? A. Well, now, with regard to that, I would like to explain. The best way would be to put in my letter.

Mr. BIGGAR: Yes; there is some correspondence that I have just seen for the first time, beginning with a letter from Mr. Hobson in which he says that in accordance with his verbal promise made Mr. Stephens he called upon Mr. Kirkpatrick, the head of the Survey Department here, and obtained the names of certain surveyors who have a very extensive knowledge of the unsettled portions of New Ontario through which the Grand Trunk Pacific will run. He mentions the names, and the salaries they are likely to ask; and in accordance with that suggestion Mr. Stephens seems to have corresponded—

Mr. HOBSON: Will you kindly read the letter in full?

Mr. BIGGAR: This is the letter:—

Grand Trunk Railway System.
Office of the Chief Engineer.

J. R. Stephens, Esq. Montreal, February 25th, 1903.
Ass't Chief Engineer.

Dear Sir,—

In accordance with my verbal promise to you, I called upon Mr. George B. Kirkpatrick, Head of the Surveying Department, in the Government of the Province of Ontario, and obtained from him the undermentioned names of surveyors, who have a very extensive knowledge of the unsettled portions of New Ontario, through which the proposed Grand Trunk Pacific will run, viz.:—

DeMorest and Silvester, Ontario Land Surveyors, Sudbury, Ont.
L. V. Rorke, O.L.S., Sudbury, Ont.
Jas. S. Dobie, O.L.S., Bruce Mines, Ont.
John H. Shaw, O.L.S., North Bay, Ont.
A. T. Ward, O. L. S., Wabigoon, Ont.
H. W. Selby, O. L. S., Dinorwic, Ont.

The salary paid these men when actually on duty, under instructions from the Crown Lands Department, is $7.00 per day, including Sundays, that is to say, $210 per month. In addition to this, all their expenses on the work are allowed them.

With regard to the Commissariat Department: these gentlemen would be able to give you full particulars and names of suitable men to take charge of it on their respective Districts. Usually the men who are connected with this part of the work are men familiar with the Indian language and capable of dealing with the Indians who might be employed as packmen or for transportation purposes.

Yours truly,
(Signed) Joseph Hobson,
Chief Engineer.

Q. You and Mr. Stephens had conversations in regard to it previously? A. Yes. Will you allow me to explain why I wrote that?

Q. Yes? A. On all surveys of that kind, perhaps one of the most difficult parts of the work is the transportation and the commissariat department, as there is sometimes a great deal of difficulty in getting supplies: sometimes difficulty in getting men who are competent canoe men, men who are accustomed to the woods; and the Ontario Land Surveyors, who had surveyed New Ontario, knew suitable men for packmen, for interpreters, and they also knew the best way of getting supplies, that is, through the Hudson's Bay posts. Further than that, the new Ontario men had been so carefully tried in the matter of surveys; they ran meridians, I think, subject to correction, six miles apart; they also ran parallels of latitude six miles apart. I may be wrong in the distance apart of those lines, but in that way that portion of the country is divided up into squares, and they become very thoroughly acquainted with the character of the country, the topography, the streams, the lakes, and I thought that they would be able to give valuable information to any one running a line through there, as to which would be the best portion of the country to make the preliminary surveys through, at all events; and that was the idea I had in recommending Mr. Stephens to employ men who knew the country, who were familiar with the topography, or more familiar than any other people could be, and who also understood the system of transportation and camping out, and everything of that sort; that he would necessarily require a good many men of that description, and that those men could give him information of that kind.

Q. You don't know what Mr. Stephens did? A. I do not.

Q. As to the commissariat department, do you know what arrangements he made? A. With the Hudson's Bay, I think. That is the way the Provincial Land Surveyors do, if I mistake not.

Q. As a fact Mr. Stephens did arrange for his commissariat? A. I don't know about that.

Q. You know from having passed the vouchers? A. Excuse me. As to passing the vouchers, it is a mere matter of form. The only thing where I pass those vouchers, I look first of all to see if the proper signatures in advance of mine are on the paper. If they are on the paper I sign those in the same way as a clerk would sign new bank bills.

Q. Those vouchers were on the Hudson's Bay Company? A. Yes.

Q. A great many of them? A. Yes.

Mr. MOWAT: Q. There is no doubt you bought things from the only people that you could buy them from?

Mr. BIGGAR: I would like to put in this correspondence that seems to have been carried on by Mr. Stephens after this list was furnished him.

The COMMISSIONER: I suppose if Mr. Stephens wishes to put it in, you can see that they are the originals.

Mr. BIGGAR: A great deal of correspondence has gone in.

The COMMISSIONER: I am quite willing. The only thing is as to the proof. Is it between him and Mr. Hobson?

Mr. BIGGAR: No, it is between him and the parties who were shown by Mr. Hobson's list.

The COMMISSIONER: Mr. Stephens ought to do that, surely.

Mr. BIGGAR: Mr. Milne was to have been here to-day, but I have a telegram that on account of his wife's illness he was not able to come.

Mr. MOWAT: Unless my learned friend can show that those surveyors recommended by Mr. Stephens were employed.

Mr. BIGGAR: They say they were.

Mr. MOWAT: As far as I can see, the pay-roll shows none of those people recommended by Mr. Kirkpatrick or Mr. Hobson.

Mr. BIGGAR: The letters are here to show why they were not employed.

Mr. HOBSON: If you will allow me to make an explanation. Of course I dare say I had in my mind that they may be employed, but really the primary idea in my mind was that they were men who could give him valuable information as to where he could get suitable chain men, suitable canoe men, suitable packers for packing of provisions, and where the supplies could most easily be got.

The COMMISSIONER: I do not think there is any objection to this correspondence. There does not seem to be a letter to the first man, J. H. Shaw.

Mr. BIGGAR: No, there is no letter to the first man. It seems to have been a suggestion from Mr. Hobson, and it was followed up until it was found nothing could result from it.

THE COMMISSIONER to Mr. HOBSON: Q. You were quite willing, under all the circumstances, to give all the information to Mr. Stephens? A. Oh, I would have been very glad to have given all the information I could. There was no reason whatever for any jealousy on my part towards Mr. Stephens. I would have been very glad to have given him all the assistance I could.

Q. That is evidenced by that letter you sent to him? A. He asked me for information as to how he could get certain men for certain purposes, and I put him on the best track I could to get that information.

Mr. MOWAT: This correspondence will go in for what it says.

The COMMISSIONER: Oh, undoubtedly.

Mr. MOWAT: I point out that there are no positions offered to these gentlemen, and it does not say in charge of a party, or what their pay would be, or whether they are transitmen or levellers or engineers.

The COMMISSIONER: No, they are all land surveyors.

Mr. MOWAT: Quite so, but there is nothing definite asked these gentlemen, and if this is to go in———

The COMMISSIONER: That will go in for what it says.

Mr. MOWAT: I simply point out that these land surveyors, who were already employed on the work, were not offered any position. On that under-

The COMMISSIONER: Certainly, it cannot be anything else but that. standing, that nothing is to be taken from them except what the letters say, I suppose they may go in.

The correspondence was then filed, as copied at close of Mr. Hobson's examination.

By Mr. MOWAT: Q. I understand you to say that from your recollection of the conversation at the Windsor Hotel with Mr. Lumsden, Mr. Hays and yourself, you are not quite prepared to say whether Mr. Lumsden refused the position, or simply showed disinclination? A. Well, my understanding

was that Mr. Lumsden was precluded from accepting it by reason of his having obtained another position before.

Q. But would you go so far as to say that the question of salary was not mentioned by Mr. Hays to him? A. The question of salary was mentioned. $4,000.

Q. Because I may tell you this, that I believe what will be said by Mr. Lumsden, though I have not seen him, is that it was because he was given to understand that the position was worth only $4,000 that he declined it; would you be in a position to contradict that? A. That I can't say. No. I am not in a position to say what passed through Mr. Lumsden's mind.

Q. Then what you are saying is that the conversation was all dovetailed together? A. Yes, it was a very short conversation. My recollection is that Mr. Lumsden said he could not accept it by reason of his having accepted another appointment, and I thought that that reason alone was sufficient to determine Mr. Lumsden not to accept.

Q. One would think that if Mr. Hays were discussing with a sincere desire to get Mr. Lumsden, that he would have discussed the question of salary? A. I think Mr. Hays did discuss it with a sincere desire to get Mr. Lumsden.

Q. Then, if you could recollect why, apparently, according to you, the question of salary was left to the end? A. I think it was. It was one of those conversations that I did not know there was going to be so much hinging upon it, but my recollection is that Mr. Lumsden first of all mentioned that he could not accept because he had got another engagement.

Q. He did not come there, as it were, throwing himself upon the Company? A. No; I asked him to call. Mr Hays asked me to request him to call.

Q. Then if Mr. Lumsden's recollection as to this is definite, as he says it is, you would not like to put your recollection against his. A. I certainly would not.

(Correspondence between J. R. Stephens and Ontario Land Surveyors, as filed during examination of Joseph Hobson, Chief Engineer).

North Bay, Ont., March 7th, 1903.

Mr. J. R. Stephens,
Montreal, Que.

Dear Sir,—I am in receipt of your favor of 28th ult., and in reply I have to say that owing to my numerous engagements I have already on hand I cannot go away on any of the work you mention. I am therefore not open for engagement.

As regards the season, I see no difficulty in starting the work at once, provided the right kind of men and equipment are on hand. In my opinion this kind of work can be carried on at any time of the year, but the months of May and June are the most difficult in which to work.

Excuse the delay in my answer, as I have been absent from home for some time.

Yours truly,
John H. Shaw, P.L.S.

Montreal, Que., Feb., 28th, 1903.

Messrs. DeMorest & Silvester,
Ontario Land Surveyors,
Sudbury, Ont.

Dear Sirs.—It is very likely that the Grand Trunk Ry., will require some exploration surveys made between North Bay and Winnipeg in the near future.

Your names have been mentioned very favorably in this connection by Mr. Kirkpatrick, Head of the Surveying Department, at Toronto. I would

like to enquire whether you are open for an engagement of this kind, and your opinion, taking into account the season, etc., as to how soon the work can be started. Also to what extent you are prepared to furnish equipment for the same?

Yours truly,
(signed) J. R. Stephens.
Sudbury, Ont., March 6th 1903.

J. R. Stephens, Esq.,
Montreal.

Dear Sir,—Your letter of 28th ult., to hand. In reply I may say that it would be very inadvisable to commence any extended exploration work at this particular season as the spring break-up is liable to commence any day, and during the break-up travelling is practically impossible.

We could not put a party in the field at present with either Mr. DeMorest or myself in charge, but might be able to do so early in May.

I am yours truly,
G. E. Silvester.
Montreal, Que., March 12th, 1903.

Mr. A. T. Ward,
Ontario Land Surveyor,
Wabigoon, Ont.

Dear Sir,—It is very likely that the Grand Trunk Ry., will require some exploration surveys made between North Bay and Winnipeg at once.

Your name has been mentioned very favorably in this connection by Mr. Kirkpatrick, Head of the Surveying Department, at Toronto. I would like to enquire whether you are open for an engagement of this kind, and your opinion, taking into account the season, etc., as to how soon the work can be started. Also to what extent you are prepared to furnish equipment for the same?

Yours very truly,
(signed) J. R. Stephens,
Asst. Chief Engineer
Toronto, April 6th, 1903.

J. R. Stephens, Esq.,
Asst. Chief Engineer,
Grand Trunk Railway,
Montreal, Que.

Dear Sir,—Yours of the 12th ultimo has been forwarded to me here from Wabigoon. I regret to say that I have already work on hand which will occupy me probably for three months, possibly longer, but at the end of that time I may be open to an engagement of the kind you mention. As soon as I am free, I will communicate with you again, in case you should still be requiring the services of a surveyor.

Thanking you for your kind offer,
I am, Dear Sir,
Yours very truly,
A. T. Ward.
Montreal, Que., March 12th, 1903.

Mr. H. W. Selby,
Ontario Land Surveyor,
Dinorwic, Ont.

Dear Sir,—It is very likely that the Grand Trunk Ry., will require some exploration surveys made between North Bay and Winnipeg, at once.

Your name has been mentioned very favorably in this connection by Mr. Kirkpatrick, Head of the Surveying Department, at Toronto. I would like to

enquire whether you are open for an engagement of this kind, and your opinion, taking into account the season, etc., as to how soon the work can be started. Also to what extent you are prepared to furnish equipment for the same?

Yours very truly,
(signed) J. R. Stephens,
Asst. Chief Engineer.

Dinorwic, March 10th, 1903.

J. R. Stephens,
Engineering Dept., G.T.R.,
Montreal, Que.

Dear Sir,—

On my return from Toronto yesterday I find yours of the 28th ult., awaiting me.

You ask if I am open to an engagement, on exploration work for the G.T.R., between North Bay and Winnipeg. In reply to this I am open to the best prospect for making money. I am a very busy man and my time fully occupied professionally, still if the work were steady and remunerative I would consider the matter.

Work could be started about the 1st May, or if the season opens early, a week sooner. My equipment for such work is complete for work in this district.

Your reply will receive my best attention.

Yours truly,
Henry W. Selby.

Montreal, April 7th, 1903.

Mr. Henry W. Selby,
Ontario and Dominion Land Surveyor,
Dinorwic, Ont.

Dear Sir,—

Again referring to your letter of March 10th.

I expect to be in your vicinity within a very short time, and will call and see you.

Yours truly,
(signed) J. R. Stephens,
Asst. Chief Enginner.

Dinorwic, April 11th, 1903.

Dear Sir:

Since writing you I have accepted a contract from the Dominion Govt., and will be unable to do any exploratory work this summer. But if you come here before the 22nd inst., I shall be very pleased to meet you and talk of the situation, as I am fairly well acquainted with the country surrounding this District.

Yours truly,
H. W. Selby.

J. R. Stephens,
G.T.R. Asst. Chief Engineer,
Montreal.

Montreal, Que., March 12th, 1903.

Mr. Jas. S. Dobie,
Ontario Land Surveyor,
Bruce Mines, Ont.

Dear Sir:

It is very likely that the Grand Trunk Ry., will require some exploration surveys made between North Bay and Winnipeg at once.

Your name has been mentioned very favorably in this connection by Mr. Kirkpatrick, Head of the Surveying Department, at Toronto. I would like to enquire whether you are open to an engagement of this kind, and your opinion, taking into account the season, etc., as to how soon the work can be started. Also to what extent you are prepared to furnish equipment for the same?

Yours very truly,
(signed) J. R. Stephens,
Asst. Chief Engineer.
Bruce Mines, Ont., April 7, 3.

J. R. Stephens, C.E.,
Montreal.

Dear Sir:

I guess you had better not wait for me, if you wish to put a party in the field at once, as it will be at least a month before I would be able to go, and possibly not then. I hope I have not caused you any inconvenience, and hope yet to have the pleasure of being on your staff.

Yours truly,
James S. Dobie.
(no date or place).

J. R. Stephens, C.E.

Dear Sir:

I had a letter from you dated March 12th regarding some exploratory surveys in New Ontario. Being in town to-day, I thought I would drop in and see you personally. I am at St. Lawrence Hall, and would like to leave for Toronto this evening. I will call around again this afternoon.

Yours truly,
James S. Dobie,
Ontario Land Surveyor.
Ontario Land Surveyor of Bruce Mines, Ont.
Montreal, Que., Feb. 28, 1903.

Mr. L. V. Rorke,
Ontario Land Surveyor,
Sudbury, Ont.

Dear Sir:

It is very likely that the Grand Trunk Ry., will require some exploration surveys made between North Bay and Winnipeg at once.

Your name has been mentioned very favorably in this connection by Mr. Kirkpatrick, Head of the Surveying Department, at Toronto. I would like to inquire whether you are open for an engagement of this kind, and your opinion, taking into account the season, etc., as to how soon the work can be started. Also to what extent you are prepared to furnish equipment for the same?

Yours very truly,
(signed) J. R. Stephens.

CECIL B. SMITH, sworn, examined by

Mr MOWAT: Q. I am told you are a civil engineer of some length of practice; how long? A. I graduated from McGill University twenty years ago.

Q. Will you kindly state shortly what have been your positions and achievements in the profession? A. Well, I followed railroad engineering for nine years after that time. I was a resident engineer and division engineer and locating engineer and assistant chief engineer on various roads.

Q. Since that time? A. Then I was five years as an assistant professor in McGill University.

Q. Surveying and engineering? A. Well, one of the practical subjects that I followed was lecturing on railroad engineering.

Q. I think I have heard somewhere that you were an author on the subject? A. Yes.

Q. You have written a treatise on railroad engineering? A. Yes, there is an elementary book on railroad engineering for younger members of the profession that I am author of.

Q. And lately has your practice been more general? A. Well, I was locating engineer for the Canadian Pacific for one year after I left McGill.

Q. That would be what year? A. 1898. I was two years Assistant Engineer in the City Hall, Toronto; not Assistant City Engineer; I was Assistant Engineer in charge of sewers and roadways.

Q. And your present position is what? A. I am engineer in charge of the Canadian Niagara Power Company for three years.

Q. There was something said by Mr. Stephens about his desire to appoint you; he spoke in a complimentary way of what he had heard of your achievements, and he said he had a desire to appoint you to a position on the Grand Trunk Pacific; do you recollect any conversation with him on the subject? How did you come to go to him, if that was so, and when? A. Well, there was a meeting arranged for by Mr. McQuigan between Mr. Stephens and myself. I think that was in February 1903.

Q. Mr. McGuigan is the General Manager of the Grand Trunk? A. Yes.

Q. In what month? A. February.

Q. And you went to Montreal? A. Yes.

Q. And saw Mr. Stephens? A. Yes.

Q. Did you make it known to him that you would like a position on this staff. A. Well, that was the understanding of my trip there.

The COMMISSIONER: Q. I understand you had applied for a position in November, 1902? A. Yes, I had put in an application for the Chief Engineership in November. That was acknowledged by Mr. Hays.

Mr. MOWAT: Q. Was that the only position that you would have accepted? A. No, not at that time.

Q. You would have been content with a division? A. Not with a division; I would with a district.

Q. What they call a district is below that of a division? A. Oh, well, then, I am mistaken.

Q. What you mean is the next position? A. Yes.

Q. Was an offer made to you in this conversation in February? A. No, there was no offer made to me.

Q. Tell us what occurred; what was the nett result? A. Well, we had a short conversation about the employment of railroad engineers in general, and he drew from me what my salary was at that time, and then he practically dismissed me and said that, as I knew, salaries for railroad engineers were very low, and that he had nothing to offer me that would be an inducement.

Q. And there would be no use? A. In making an offer; and I met him a few minutes later in Mr. McQuigan's office, and I endeavored to draw from him an offer just for the sake of having it, but he said there was no use in making an offer, and he did not care to do so.

Q. I think you will have to tell us, then, what was the sum you mentioned as being then your salary? A. My salary at that time, that is the straight salary, was $3,600, but I have other engineering work that I am doing at the same time.

Q. And the moment he heard that, he said there was no use in troubling about it? A. Yes.

Q. And you went back for the purpose of trying to get a definite arrangement? A. Well, that came up incidentally. I was waiting in Mr. McQuigan's office to speak to him before I left Montreal, and Mr. Stephens came in.

Q. You thought you would clinch it if it was possible to do so? A. I endeavored to do so; that was the idea.

Q. You say you talked with Mr. Stephens over the engineers and engineering problems in Canada? A. Yes.

Q. Did Mr. Stephens seem familiar with engineers in Canada or their work? A. I don't think so, not from the way he spoke, I don't think he knew anything about Canadian engineers. He referred to having a large number of applications in his hands. I said that of course I understood there would be no difficulty in getting lots of men.

Q. That was, making a bargain? A. Well, that was the view he expressed.

Q. From this conversation you thought he did not understand the work and achievements of Canadian engineers? A. Well, he gave me to understand that he was a stranger in the country, which I knew. He spoke of other parts of the world that he had been in, and what he had done in a general way.

Q. What is your opinion, as a Canadian engineer of this practice, as to the capacity of such an engineer being put in chief charge, that being so? A. I think that is where the mistake was made.

Q. What do you mean by that? A. Well, a stranger is not competent to judge of the qualifications of the engineers of another country. We don't want to be discriminated against; that is all we ask. We don't want any protection; we merely want fair play.

Q. Do I understand now you are speaking for the profession? A. Yes.

Q. Have you got anything to base that on—conversations with others? A. Yes, that is the general opinion, I think, of the profession, of the men I have talked to.

Q. The general opinion among your profession is that you don't want to be discriminated against? A. Yes.

Q. Do you want protection? No.

Q. The Canadian engineers do not need protection; is that what you mean? A. I think if we are given fair play we don't need protection; our qualifications are sufficient if we are given fair play.

Q. I think Mr. Stephens said the position which he desired you to take in view of what he had heard about you, was that of Division Engineer at North Bay; was that spoken of? A. I think he said to take charge of the locating of several hundred miles of the line west of North Bay.

Q. Are you aware that the salary attached to that position is $4,000? A. Only by a newspaper report.

Q. That has been said in evidence here; then have you anything to explain why Mr. Stephens should have said to you that there was no use your looking for a position when you were getting $3,600? A. I don't know.

Q. Have you heard the evidence given here to-day by Mr. Jennings and Mr. Leonard? A. Mr. Leonard was on the stand when I came in the room.

Q. Mr. Stephens said that he only employed Americans on this Canadian work when he found that he had exhausted every means of getting Canadians, and he could not find Canadians to do the work; have you any opinion to offer on that, with your knowledge of the profession? A. I think you can get lots of good Canadians if you pay them good salaries.

Q. Salaries such as these? A. Yes.

Q. You have heard what they are—$4,000, $3,000, and so on; do you think those would be tempting salaries? A. Yes.

Q. Are you in a position now to accept such a position? A. No.

Q. You have now improved your position? A. Yes.

Q. $4,000 would not now be tempting? A. No.

Q. At the time you had that conversation with Mr. Stephens it would have been so? A. I would have accepted that position at that time.

Q. Have you heard the names mentioned by the other engineers who have been here to-day? A. Yes.

Q. What is your opinion as to that? Do you coincide with their opinion, or otherwise? A. Well, I am acquainted with a good many who are mentioned; others of course I don't know.

Q. Are there any others that would have been available for these staff positions that you could name? A. I don't think I heard M. J. Butler's name mentioned. He is an able engineer, I consider.

Q. Montreal? A. Yes.

By Mr. BIGGAR: Q. Mr. Stephens I think said you gave him to understand that you would want a very substantial increase over the $3,600 before you would accept a position and move away from your business; is that your recollection? A. I don't remember whether I said it; I might have said it, though.

Q. I think that is his version of it, that he did not think you would accept a salary at such a slight increase over what you were already getting; I think he said you gave him that impression? A. Well, I naturally would.

Q. Just a word as to Mr. Butler; I believe he is already engaged by the American Locomotive Works in Montreal? A. I believe he has that position.

Q. Has been for some time? A. Yes.

Q. Ever since he left the Rathbun Company? A. Yes.

Q. You don't know what salary he is getting there? A. No.

The COMMISSIONER: Q. You are clear that Mr. Stephens made no offer of any salary to you? A. Yes, Your Honor, absolutely.

By Mr. MOWAT: Q. You have given me a list of names of those who would be available? A. Yes.

Q. You have Grade A. and Grade B. here? A. Yes, a rough classification. I am acquainted with the large majority of those men.

Q. By personal reputation? A. Well, I am acquainted personally with more than half of them, and the remainder I know by reputation.

Q. These in Grade A. would, in your opinion, have been all capable of taking the Chief Engineership, namely, Archibald, P. S.; Butler, M. J.; Fowler, Z. J.; Hoare, E. A.; Holgate, H.; Kerry, J. G.; Leonard, R. W.; Lumsden, H. D.; McLeod, M. H.; Massey, G. H.; Mountain, G. A.; McCarthy, J. M.; Shanly, J. M.; Smith, C. B.; White, T. H.; Wicksteed, H. K.? A. Yes.

Mr. BIGGAR: Q. Mr. Butler, you have already said is in the employ of the Locomotive works; Mr. Holgate, is he not of the C.P.R.? A. Mr. Holgate is in private practice.

Q. Mr. Kerry is already associated with the Grand Trunk, isn't he? A. Only casually; his main position is professor in McGill University.

Q. All his spare time is taken up with Grand Trunk work? A. Yes.

Q. Mr. Lumsden has been referred to; Mr. M. H. McLeod is Chief Engineer of the Canadian Northern; Mr. Mountain was at that time Chief Engineer of the Canada Atlantic, was he not? A. Yes.

Q. And is now the Engineer under the Railway Commission; Mr. J. M. Shanly is down in the eastern provinces; Mr. Wicksteed was for a long time in the service of the Grand Trunk, was he not? A. I don't know. The positions that I have known him as occupying were not in the Grand Trunk.

Q. Are you not aware of his having been engaged in locating a line from Port Hope west within the last three years for the Grand Trunk? A. I don't know.

Q. They probably know his qualifications as well as anybody? A. I don't know whether Mr. Stephens does or not.

The COMMISSIONER: Q. There is a list of applicants to the Grand Trunk Pacific at Montreal; I have ticked off those that are members and associate members of the Canadian Society; would you kindly look at these and say if you know them or any of them personally, and as to their qualifications for the positions they sought, which I think were those of engineers in charge of parties? A. H. W. D. Armstrong is properly qualified; H. Carry; E. H. Drury; R. T. Goff; T. Hillman; A. E. Hill; J. H. Kennedy; A. F. McCallum; J. Paterson; Abbott True.

Q. Those you know personally? A. Yes.

Q. And are able engineers? A. Yes, competent engineers.

Q. What is your age? A. Forty.

Names of some Canadian Railway Engineers who are considered Competent to fill responsible positions in connection with Railway surveys and constructions.

Grade A.

Archibald,, P. S.; Butler, M. J.: Fowler, Z. J.; Hoare, E. A.; Holgate, H.; Kerry, J. G.; Leonard, R. W.; Lumsden, H. D.; McLeod, M. H.; Massy- G. H.; Mountain, G. A.;McCarthy, J. M.; Shanly, J. M.; Smith, C. B.; White, T. H.; Wicksteed, H. K.

Grade B.

Armstrong, H. W. D.; Addie, G. K.; Armstrong, J. H.; Barber, J. H.; Brough, W. C.; Bruce, R. F.; Burchell, H. C.; Chapman, W. P.; Coutlee, C. R.; Crowley, C. J.; Colpitts, W. W.; Davy, R. A.; Dennis, J. S.; Doucet, A. E.; Drury, E. H.; Dunn, G. C. B.; Dawson, A. S.: Dill, C. W.; Earle, W. Z.; Francis, W. J.; Garden, C.; Garden, G.; Garden, J.; Grand, A. J.; Hazelwood, R. A.; Henderson, E. G.; Hill, A. J.; Hill, A. E.; Hesketh, J. A.; Hillman, T. E.; Hanning, G. F.; Kennedy, J. H.; Kirkpatrick, A. K.; Lea, R. S.; Lordly, H. R.; Lovelace, E. S.: Laird, R. W.; McLay, O.; McCarthy, G. A.; Macklin, J. G.; Macphail, W. M.; Morris, J. L.; Morris, A.; Mitchell, C.; Matheson, E. G.; Matheson, E. S.; MacLean, T. A.; Noble, D. S.; Ord, L. R.; O'Dwyer, J. S.; Odell, C. M.; Pim, J. P.; Russell, W. B. Richardson, G. H.; Reinhardt, C.; Saunders, B. J.; Sykes, S. H.; Schwitzer, J. E.; Stone, E. A.; Turnbull, J.; Turnbull, T.; Tate, R. F.; Tyrrell, J. S.; True, A.; Woodman, J.; Wilkin, F. A.

July 4th, 1904.

The COMMISSIONER: (to Mr. Leonard): Mr. Leonard, I forgot to ask you your age; if you have no objection? A. 44.

ARTHUR H. N. BRUCE, sworn, examined by

Mr. MOWAT: Q. I am told that you are a civil engineer of some practice and long experience? A. Yes.

Q. And that your engagements were such in April of last year that you could have accepted work on the engineering staff of the Grand Trunk Pacific? A. Yes.

Q. Did you apply? A. Yes.

Q. What was the result? A. I got an answer to say that my application would be filed, and I think that was all; I never heard of it since.

Q. Who was the answer from? A. From Mr. Stephens.

Q. Did you acquaint him with your qualifications and give him your testimonials? A. Yes.

Q. Tell him of your former experience? A. Yes.

Q. Tell me shortly what it has been? A. My first work in this country was assistant engineer on the construction of the St. Lawrence bridge at Coteau Landing.

Q. Were you educated in England? A. Yes; and after that on the St. Lawrence and Atlantic Road: I was section engineer. Then on the Ottawa and Parry Sound Road, 200 miles of that, I was locating engineer and in charge of construction.

Q. What kind of country does the Ottawa and Parry Sound go through? A. It is a very rough country; that is, a little over 100 miles is very rough.

Q. Is it something similar to that north of North Bay and Heron Bay, New Ontario? A. It is something similar to the country between Sudbury and Port Arthur, that is, the back country, not the front.

Q. You were going on to tell me the other positions you had been in? A. After that, the eastern extension of the Canada Atlantic into Vermont. I was in charge of construction there, and location, and bridge construction. Then 95 miles of the Manitoba and South Eastern I located. Then I was Divisional Engineer on the Great Northern road in Quebec one year. That runs from Hawkesbury to a point on the Lake St. John road.

Q. How long ago was that? A. That was in 1899 I think.

Q. Then since that have you been employed in railway work? A. Yes, I have been in constant employment, except for a few months.

Q. Then, to sum it up, you have been in constant employment as a railroad engineer in Canada? A. For the last fifteen years in Canada.

Q. Have you been in the room here while the evidence was given by the other engineers? A. Yes.

Q. Do you agree with it? A. Yes, I think so.

By Mr. BIGGAR: Q. I think you made a stipulation in your application that you should be employed near Ottawa, if at all? A. I don't recollect exactly my application.

Q. I understand that that was it? A. I may have said that. I preferred that.

Q. You said you were a married man with a small family living in Ottawa, and if the work was given you at all you wished to be in the neighborhood of Ottawa? A. I may have done so, I could not say.

Q. Your letter reads—"I am a married man with a small family living at the above address, so that if you can place me within reasonable distance of Ottawa, if at all, I will be very much obliged."

Mr. MOWAT: That is not a condition at all.

WITNESS: If he could.

Mr. BIGGAR: Q. The nearest work, of course, on this line was considerable distance from Ottawa? A. Yes, of course I thought at that time that he would be in charge right through.

Q. From Quebec? A. Yes, that was my impression.

Q. As a matter of fact, no work has been done east of North Bay? A. Of course I preferred to work nearer Ottawa but, I would have taken it far off had I got it at the time.

The COMMISSIONER: Q. You were willing to take work farther west and north? A. Oh yes.

Q. Did you receive any answer to that letter other than saying he would place it on file? A. That is all. I have not heard from him since at all.

ANDREW F. MCCALLUM, sworn, examined by

MR. MOWAT: Q. I find from the books of the Grand Trunk Pacific that you announced yourself as available for employment on the location work of the railway in July last year? A. I had a talk with Mr. McQuigan in Toronto, and he asked me to come down to Montreal. I went down to Montreal, and he introduced me to Mr. Stephens, but at that time I had gone on the C. P. R.

Q. Did you go to Montreal? A. Yes.

Q. And saw Mr. Stephens? A. Yes.

Q. Did you tell him what your experience and qualifications had been? A. No; he asked me if I was available, and I told him no, I was not just then, unless he could do better than the C. P. R. was doing.

Q. What was that? A. Chief of party on the C. P. R. at $150 a month.

Q. Was that all the conversation you had with him? A. Yes.

Q. What did he say? A. Well, he told me that he did not know of anything just then. In fact, I did not apply at all; I think Mr. McQuigan sent in my name.

Q. And it was as the result of that you went to Montreal? A. No, I was going down to Montreal any way.

Q. As the result of that then you had the conversation? A. Mr. McQuigan, I went in to see him just to have a talk with him.

Q. And he introduced you to Mr. Stephens in another part of the building? A. Yes.

Q. And you were not needing work? A. No.

Q. And you did not want to take work unless you could improve it? A. Unless I could improve it.

Q. What have been your achievements? What positions have you held? Why did you think you should get something better than you were getting? A. Well, I had been ten years railroading.

Q. Are you a graduate of the School of Practical Science? A. Yes.

Q. What are you doing now? A. Putting in water works at Grimsby.

Q. Has your engineering experience in railways included that of location as well as construction? A. Yes.

Q. Do you know that heads of parties in the Grand Trunk Pacific are getting $175 a month? A. Yes.

Q. You would be willing to take that? A. No sir.

Q. That was not sufficient improvement ? A. No, I wanted a district engineership.

Q. Such as what they call a division engineer? A. No, a division is the next highest.

Q. You mean a district as they have it? A. Yes.

Q. $250 a month? A. Yes.

Q. You felt competent to do that? A. Yes.

Q. You say you are? A. Yes.

Q. Did you broach that to Mr. Stephens? A. No, I did not.

Q. Nothing was said definitely as to the exact position that you required if he could give it? A. No.

Q. Did he seem anxious to get you? A. He spoke about giving me charge of a party. I did not want that.

THE COMMISSIONER: Q. What time was this? A. In July, 1903.

Q. You have not heard anything since then? A. No, there was nothing to correspond about since.

MR. BIGGAR: Q. Are you a member of the Canadian Society of Engineers? A. No sir.

ARCHIBALD W. CAMPBELL, sworn, examined by

Mr. MOWAT: Q. I understand that you are sometimes known as "Good Roads Campbell"? A. Yes.

Q. Are you Assistant Commissioner of Public Works in the Province of Ontario? A. I am.

Q. Are you a civil engineer? A. I am.

Q. Have you had experience in railway work? A. Some, not very much, not of late years.

Q. You have been in your present position for some length of time? A. I was engaged in the location of the sections of the Michigan Central Railway, Essex Centre to Windsor, Welland to Suspension Bridge. I had charge of the reduction of the grades on the Erie & Niagara Railway, and assisted in the location of the Tillsonburg & Port Burwell; that is all the experience I have had in railroading.

Q. Did your position as an engineer, before you took your present Government position, bring you in contact with the engineers of the country? A. Yes.

Q. Do you say you are competent to give an opinion as to the achievements of Canadian engineers and their capabilities? A. Yes, to some extent.

Q. Have you heard this statement made by Mr. Stephens, spoken of here, that he only employed American engineers on this Grand Trunk Pacific location only when he had exhausted other means of getting Canadians, and that he could not get Canadians to do the work; what is your opinion as to that? A. Well, I cannot understand his taking that position.

Q. Why? A. We had no difficulty in obtaining Canadian engineers to take charge of the location and construction of the Temiskaming and Northern Ontario Railway.

Q. Have you supervision over this? A As Assistant Commissioner of Public Works I had the selection of those engineers.

Q. You had no difficulty in obtaining them? A. No difficulty whatever.

Q. What is the nature of the country over which they go? A. Well, it is rough from North Bay to the Montreal River, in fact to the head of Lake Temiskaming. I have traversed that country myself. It is rough, rolling, rocky, from that on for a distance of 60 or 70 miles. Through the Blind River valley it is a flat agricultural district. Then crossing the Height of Land is rocky to some extent, and on to the proposed junction of the Grand Trunk Pacific is through the clay belt.

Q. Then the same general character as the Grand Trunk Pacific west from North Bay? A. The intention is to connect with the Grand Trunk Pacific, and the surveys are being made there now with that object in view.

Q. Suppose that instead of being appointed Assistant Commissioner of Public Works in the Province of Ontario you had been appointed Assistant Chief Engineer in charge of the surveys of the Grand Trunk Pacific, and desired to equip it with Canadian engineers; how would you have gone about it? A. I fancy I would have gone about it in the same way as we went about organizing a party for the Temiskaming River.

Q. How was that? A. Well, we consulted our own engineers belonging to the Department, in the first place. I had some knowledge of nearly all the engineers in Ontario, and the difficulty with us was that there ap-

peared to be so many good men to select from. We had no difficulty in choosing a chief engineer; Mr. W. B. Russell was selected; he was then engaged, I think, as Chief Engineer on the location of the Algoma Central Road.

Q. I suppose you gave him something better in the way of salary? A. He had had some experience on the Canada Atlantic Railway, and he was recommended. He was known by Mr. McCallum, the Chief Engineer of our Department, and Mr. Fairbairn. We called him in, and we learned from his experience that he was an expert in construction, had some experience as a contractor, and a general opinion of the country, and we thought he was a capable man for the position, and we employed him.

Q. I think his salary is some $3,000? A. $3,000 a year now.

Q. I suppose he had been receiving less than that on the Algoma Central? A. Well, I don't know what he was receiving there. We paid him even less than that when he was first engaged.

Q. Your Chief Engineer gets $3.000? A. $3,000.

Q. And you found no difficulty in filling that; in fact you had more applicants than you knew what to do with? A. Yes, we had a number of applicants.

Q. Taking the character of the physical condition of Northern Ontario, Manitoba and the North-West, what is your opinion as to the relative capabilities of a man accustomed to that country in an engineering manner, and those who have no previous acquaintance with it? A. For what position?

Q. For a position of division engineer or district engineer?—District engineer is the traveling; the Division Engineer is the man in the office, the Chief? A. Well, for a locating engineer I should select a man who had had experience in that country. We found that Provincial land surveyors, who had been on exploration in Ontario, and who had been dividing up the land into townships and lots, were familiar and really made, after all, the best explorers, and I think were the most valuable men to the engineer in charge of location. We engaged a number of those in the locating of that line; and I should say through the northern part of Quebec—I have not been through the northern part of Quebec, but I have been through parts of the northern part of Ontario where this line is projected—and I should say in the location of that line that engineers having had experience locating railways in Northern Ontario, and land surveyors who had been engaged in the subdividing of the land through there, working in the woods, traveling the streams, carrying their own provisions and supplies, and so on, would be the most qualified for locating that particular line; possibly men in Manitoba on the plains.

Q. Are you including in that the positions of transitmen and levellers, and all that sort of thing? A. Transitmen, leveller and explorer.

The COMMISSIONER: Q. What salaries are you paying those? A. I have the list of salaries here. Mr. Russell, the Chief Engineer, is being paid $250 a month. Mr. Perrault, Assistant Chief Engineer, $150 a month. Then the men on sections are being paid $100 a month.

Q. Who are the men on sections? Engineers too? A. Engineers.

Q. In charge of parties? A. Yes, nearly all graduates of the School of Science.

Mr. MOWAT: Q. You mean like Robert Laird? A. Yes, Laird is on an exploring party, but men like C. L. Russell, a brother of the Chief Engineer. Mr. C. W. Doherty, Mr. F. C. Jackson, Mr. R. H. Harcourt and Mr. A. McGougan; they are men in charge of sections.

Q. And they are receiving? A. $100 a month.

By Mr. BIGGAR: Q. How long are the sections? A. Various lengths. These are men like in charge of the construction.

Q. What length of sections? A. About ten miles.

Q. How long was the whole road as originally projected? A. 110 miles.

Q. You would hardly, I suppose, compare the salary paid to the Chief Engineer of a road that length to the salary of an engineer in charge of the Grand Trunk Pacific? A. 110 miles was laid out, of course, just after the proposed extension of 100 miles which is now being located; the total length of the road would be about 200 miles.

Q. But I meant as originally projected to Lake Temiskaming? A. Well, it would require about as much ability to locate 100 miles of a road as a thousand.

Q. The chief engineer of a road of a thousand miles would probably have to be a better qualified man than for a road of a hundred miles? A. It is a larger proposition.

Q. How many sections do you say that was divided up into? A. Ten sections.

Q. And each man in charge of it gets $100 a month? A. Yes.

Q. And the chief engineer of the whole $250, and the assistant $150? A. Yes, those are the prices.

The COMMISSIONER: Q. That is for construction? A. That is for construction.

Q. The sections would be larger in location, would they? A. Well, we only had three parties in location—one working from the south, one from the north, and one from the middle.

Q. Can you tell me the salaries paid to them? A. It was somewhat less than that, I just don't remember now. The Chief Engineer has had charge, of course, from the commencement of the location.

JAMES MCDOUGAL, sworn, examined by

Mr. MOWAT: Q. Are you a civil engineer of long practice in Canada? A. Nearly twenty years practice.

Q. Had you any previous experience, before that? A. No.

Q. What line of work? Railway work? A. I have been a great deal in railway work.

Q. You did not apply for employment on the Grand Trunk Pacific at all? A. No.

Q. Has your practice brought you in contact with different engineers of Canada? A. Yes, fairly well, especially among the younger men in the City of Toronto mostly.

Q. You have heard the evidence given here this morning; first it was said that no Canadian engineers were available, competent to take these positions? A. Yes.

Q. What is your opinion on that? A. I don't think it is correct.

Q. Why don't you think so? A. Because I know a good deal of the engineers passing through the city here and looking for employment, and I know that there are plenty of them available.

Q. You mean of the best class? A. Yes, of the best class.

Q. What is your present position? A. I am engineer of the County of York, and I do a general consulting business besides.

The COMMISSIONER: Q. What experience have you had in locating railways? A. I was on the surveys of the Detroit Extension, of course I had a minor position there; that was my first experience in locating engineering. Since then I have been locating only small lines, steam railway and electric railway around the city more particularly, lines of short length,

14 and 20 miles and so on, and am employed by the Toronto Railway generally for their suburban lines.

Q. Have you had any difficulty at all in getting engineers to assist you? A. No, none whatever.

Q. Canadian engineers, I mean? A. None whatever. I had occasion to get two or three men, a good draughtsman among others, and also a good instrument man, transitman, this Spring, and as soon as it became known that I was in want of an engineer I had, I might say, dozens of young men come to the office and applied, and I had also letters from quite a number.

Q. Capable men? A. Quite capable men.

Q. You have looked at the list of applications to the Montreal office; do you know any of those gentlemen who have applied for positions on the Grand Trunk Pacific? A. Armstrong, H. W. D., my old chief, well up in the profession a first-class man. John F. Armour, I think, is an old chief—I mean chief of party of survey on the C. P. R., Detroit Extension. Bruce has just given evidence here.

Q. You know Mr. Bruce? A. Yes.

Q. He is now Chief Engineer of the Lindsay, Bobcaygeon & Pontypool Railway? A. Yes. Kennedy I know well; he preceded me in graduating at the School of Science—another first-class man.

Q. You are also a graduate from the School of Science, Toronto? A. Yes. A. F. McCallum has located quite a number of lines not only in Ontario but in the North-West. There are others, quite a number of them, that I know by reputation, but I am just giving these that I know personally. Paterson, J. A., is an old and reliable engineer who has done splendid work in location and also in construction. A. L. McLennan is just leaving my employ now; he applied for a position with the Grand Trunk Pacific, got no position; he is going out with a land surveyor in default of another position, and he is really an excellent man as an instrument man. I have found him very accurate, quick and alert, and a man that has been out in the west and understands camping and moving supplies. He is the son of an old engineer who was on the north shore of Lake Superior on the construction of the Canadian Pacific. He is really one of the best out-door men that I have had go through my hands. Nearly every year I think I have a different man. Mr. McLennan is really an excellent man. He got no reply, and no chance of going on the work at all, and in default of that he is going to the North-West as a land surveyor. Another useful man here is Szlapka. That man was connected with the Hamilton Bridge Company, and would be a very handy man on bridge construction. There is also Mr. H. P. Bell, who has been in my employ for some time, and who is a good man, a good leveller, a good transitman, and understands location. He made an application, and received no reply that I know of.

Q. Received no reply from the Grand Trunk Pacific? A. No.

JOHN A. PATERSON, sworn, examined by

Mr. MOWAT: Q. Are you one of His Majesty's Counsel practising in Toronto, and a brother of James A. Paterson, a practising civil engineer? A. Yes.

Q. Your brother, I understand, has gone to Virginia? A. Yes.

Q. And is now there? A. Is now there.

Q. Do you know whether he was an applicant for employment on the Grand Trunk Pacific Railway? A. Yes.

Q. Have you any letters or correspondence to show that? A. Yes.

Q. What are they? A. I produce a letter written by Hon. Mr. Cox to me. I wrote to Mr. Cox to see if he could get employment.

Q. To George A. Cox? A. Yes, and the senator wrote this letter:—"24th September, 1903. I have your favor of the 23rd inst., with accompanying memorandum regarding your brother, which I am sending on to Montreal to-night. On receipt of a reply I shall again communicate with you." I enclosed him a memorandum detailing the experience that my brother had in engineering, and there is a copy of it. (Copy attached). And then I may just finish that matter by saying that Mr. Stephens wrote me a letter, a copy of which I now produce, in which he says:—"The Hon. Senator Cox has referred your letter of application on behalf of your brother, who is at present in Virginia, to me. I beg to say that I have placed this application on file, and shall be glad, if the occasion arises, to correspond further with your brother. I think I had the pleasure of meeting him here last Spring when I made him an offer which, at the time, he did not feel justified in accepting." I presume that he is incorrect. Mr. Stephens must have been mistaken as to the identity of my brother with some one else. That was an error. Mr. Stephens must have confused him with some one else.

Q. Your brother did not meet him? A. No.

Q. Then I see your brother commenced his career as civil engineer with the late Mr. Inglis of the Suez Canal? A. Yes. I may add that he was practically expatriated because he could not get work in Ontario. He wanted to stay in Ontario; he is a British subject.

Q. He was practically expatriated on account of not being able to get this work? A. Yes. He is willing to come back; anxious to come back, always has been.

Q. Do you know what he would be willing to accept? A. I really don't know, but I think he has been in the habit of getting from $200 to $250 a month.

Statement re Jas. A. Paterson, M. Can. Soc. C. E. O. L. S. & D. L. S.

He began his career as Civil Engineer under the late Mr. Inglis of the Suez Canal in 1874, and afterwards was with Mr. J. C. Bailey, C. E., of Toronto.

Was engaged for a number of years with the late well known Geo. Laidlaw (the Railway King of Toronto) particularly on the construction of the Credit Valley Ry., now C. P. R., Toronto to Ingersoll.

As Engineer was with James Ross now of Montreal, after the Victoria Ry., was built; made a map of the Co. of Victoria. Also made a Reconnaissence Survey for Ry., from Lindsay to Bobcaygeon. Built a Section of the Grand Junction Ry., Coy Contract from Mr. E. O. Bickford.

Made Survey for the whole and built part of the old Toronto & Ottawa Ry., for the G. T. Ry., with Mr. Bailey, also for the Gatineau Valley Ry., northerly from Ottawa.

Had Contract for Railway work for the late Hugh Ryan.

In 1884 began Survey for the Northern & Pacific Jun. Ry., from Gravenhurst to North Bay. Located and had charge of half the line. After this in 1886 was employed again by James Ross to locate the C. P. Ry., Short Line across State of Maine. After completing this in 1883, was Engineer for the Toronto Belt Line Ry., under Mr. Wragge of the G. T. Ry., for Mr. Edgar. Was employed by Col. Tisdale of Simcoe as his Engineer to build the G. T. Ry., connection to Owen Sound. Made surveys for G. T. Ry., connection to James Bay. In 1894-95-96 was Engineer for the Toronto, Hamilton & Buffalo Ry. In 1897-98 employed by the National Surety Co., of New York to report for them on various important undertakings. In 1899 built the Jacques Cartier Water Power near Quebec and was employed in charge of the extension and enlargement of the *Government Graving Dock* at Levis until completed.

Ry., work is his specialty and he is an expert in location and construction.

Upon that being completed, no work opening up in Canada, he went to Virginia, and there is occupied with railroad and construction work in connection with the Chesapeake & Western Railway.

The COMMISSIONER: Q. Did you see Mr. Stephens yourself? A. No, Mr. Commissioner, I did not.

Q. He said in evidence before me early in the Investigation that he had offered you a position for your brother? A. Oh, that is quite a mistake, quite clearly a mistake, because that is all I have got from Mr. Stephens, this letter.

Q. You never saw the gentleman at all? A. No.

Q. Don't know the gentleman? A. Don't know him at all. Mr. Stephens is quite mistaken about that.

MR. BIGGAR: Mr. Stephens, I might say, mistook Mr. Moseley for Mr. Paterson.

The COMMISSIONER: But his letter to Mr. Paterson of September 26th states, "I think I had the pleasure of meeting him here last Spring when I made him an offer;" that is untrue.

Mr. BIGGAR: He evidently would not write that if it was not written under a mistake.

By Mr. BIGGAR: Q. I suppose you are not very much alarmed at your brother not being sent back from the United States? A. I think he is acceptable there, but at the same time I want him here. I don't know of any difficulty why he should not stay there if he wants to, but he does not want to.

JOHN MACCUNN, sworn, examined by

MR. MOWAT: You have been a practising engineer for some years in Canada? A. Yes.

Q. How many years? A. In Canada 12½ years.

Q. And had you previous experience elsewhere? A. Yes, about seven .

Q. In Britain? A. Yes, and in South America.

Q. Has your practice extended to railway location work? A. Yes

Q. How did you come to write to Mr. VanArsdoll? A. I saw his name in an American newspaper as being in charge of work on the Pacific.

Q. Was that all, or that he would be glad to receive applications? A. No, it simply mentioned him as being in charge of work on the Pacific.

The COMMISSIONER: Q. The Grand Trunk Pacific? A. Yes, on the work on the Pacific Coast.

MR. MOWAT: Do you know what paper that was in? A. I think it was the Engineering News.

Q. Where is that published? A. In New York.

Q. As the result of seeing the statement that Mr. VanArsdoll was employed in the Rockies, you wrote to him for employment? A. I wrote to him direct, yes.

Q. And this is the letter of the 29th January, 1904: "185 Beverley street, Toronto: Dear Sir,—Being at present disengaged, I am prepared to undertake on short notice railway or other surveys, or the superintending of construction on railways or docks. My experience as an engineer extends over nineteen years, twelve of which have been in Canada. Should you require any engineering assistance I would be glad if you would communicate with me, naming a date for an interview." What answer did you get to that? A. I got a letter from Mr. VanArsdoll direct.

Q. This is dated at Edmonton, 11th February, and addressed to Mr. John McCunn; he evidently did not know you? A. I never saw the man before.

Q. He writes: "At present I have nothing to offer you, but I have filed your application for future reference, and shall be pleased to communicate with you again in case a suitable opportunity for employment should offer;" this is the usual type of answers? A. Yes, the stereotyped form.

Q. Did you ever hear anything further from him? A. I have heard nothing from him.

Q. Did you have any correspondence with anybody else of the Grand Trunk? A. Yes; I wrote Mr. Hobson, in the first instance, in November of last year, asking to whom I should apply, and he replied Mr. Stephens, and I wrote to Mr. Stephens.

Q. Have you Mr. Stephens' answer? A. Yes.

Q This is Mr. Stephens' answer on the 19th January: "I have yours of the 14th inst. making application for a position in connection with surveys of the Grand Trunk Pacific Railway. At present I have nothing to offer you, but have placed your application on file for reference in the event of my being able to offer you a position in the near future." Did you ever hear from Mr. Stephens? A. No, I heard nothing further.

Q. Did you give Mr. Stephens your experience and testimonials?

A. I am not sure, but I think I enclosed a copy of my record, a printed copy, with this.

Q. That is, with Mr. VanArsdoll at Edmonton? A. Yes.

Q. Giving all your experience? A. Yes.

Q. Is the letter from Mr. Hobson there? A. Yes, this is just instructing me to write to Mr. Stephens.

Q. On October 26th Mr. Hobson answers your letter: "Replying to yours of the 24th inst., send in your application for emqloyment on the Grand Trunk Pacific to Mr. J. R. Stephens, Assistant Engineer, Montreal." You would have been available at all those times; for what position do you think you were entitled by reason of your experience? A. I was looking for a position as locating engineer, and I think from what I have been accustomed to understand, there is a division of about forty miles. I thought I was competent to take that position.

Q. What they call here a division, at $175 a month? A. Yes, that is what I was expecting. Of course my experience of harbor works made it possible that I might have been detailed for some special work on the Pacific Coast, or rivers to be crossed.

Q. What harbor work have you done? A. I have been on the Greenock harbors in Scotland, and the St. Helen harbors on the Island of Jersey in the English Channel, and also on the Montreal harbor.

Q. What has been the nature of your work in these harbors? A. In Greenock it was a wet dock, mostly masonry—large ships and warehouses and hydraulic cranes and sliding gates, and the usual conveniences of a first-class dock. In Jersey we were building a first-class dock with landing stage and quay walls, and all that sort of thing; and at Greenock I was also engaged in a great deal of bridge work. The work in Jersey was done without contractors at all, by the engineering staff direct. There was a resident engineer and myself in charge. That was a good while ago.

Q. Did you have anything to do with harbors in connection with terminals of railways? A. Well, on the Greenock works we had tracks around all the docks. I have had, in my experience with the C.P.R. quite a lot of terminal work to do, a great deal of it. I am now on the C.P.R. I have been three times on it, and when I was on it on the last occasion I was for over four years as assistant to the Divisional Engineer of the Eastern Division, at Montreal, and we re-built a terminus while I was with them.

Q. Were you aware that a gentleman named Bacon had been brought from the United States at $300 a month for the position called Harbor Engineer? A. No, I was not aware of his appointment, but I supposed that such a man would probably be required, and in that way I regarded myself as having two strings to my bow, as it were.

Q. That is, qualifications for that as well as location? A. I have been twelve years on locations and seven years on harbors and marine works.

Q. Would you have considered yourself fitted for such a position as Mr. Bacon has, of laying out terminals at the harbor at Port Arthur? A. I should think so, certainly.

Q. That would have been easy after Greenock and Jersey? A. After handling all the yards at Montreal with the traffic I think it would have been easy to do it at Port Arthur.

Q. What do you say as to the remuneration for the work that you suppose Mr. Bacon is doing for the last eight months at Port Arthur? A. Well, I don't know the nature of the work and the nature of the responsibility of the positions he is occupying.

Q. The trouble is, nobody does? A. Well, without knowing what the man is supposed to do, and what the nature of the work is, I could hardly put a figure on it, but I suppose $300 a month ought to get a very good man.

Q. What is your age? A. 38

By Mr. Biggar: Q. As a matter of fact do you know anything about Mr. Bacon's duties? A. No, I don't know the man nor anything about him.

Q. Nor what his capabilities are? A. No.

Q. What work he is employed at? A. No, I have just said I would not be able to pass an opinion on his capabilities without knowing what his duties are.

Q. You would not care to take a position at $175 a month?

A. I would have been willing to consider an offer.

Q. It is rather early for harbor work, isn't it? A. Well, they might be studying the different places.

Harry Crewe, sworn, exemined by

Mr. Mowat: Q. Are you a practising engineer? A. Yes.

Q. For how long have you been in business in Canada? A. Thirty years.

Q. Have you been here this morning when the statement has been read that there were no Canadian engineers found to be available? A. Yes.

Q. What is your opinion as to that? Well, my opinion is that there were plenty of them.

Q. Has your practice brought you into contact with Canadian engineers? A. Yes.

Q. You dispute that, then? A. Yes.

Q. Your own experience has extended to railway work, I understand? A. Almost entirely.

Q. Bridge building and location? A. Yes.

The Commissioner: Q. Under whom did you work? A. Mr. Edmund Wragge and Mr. John C. Bailey, and I was for about a year on the Canada Southern Railway under F. N. Finney—an American railway built through Canada—so that I was mixed up with American engineers there to quite an extent.

Q. You had experience with American engineers as well as Canadians? A. Yes.

Q. From your own experience, did they possess any greater qualifications than Canadians? A. None whatever. I am not speaking as a Canadian now.

Q. But from your own experience with their work? A. In fact there were several Canadians on the road, for the simple reason that they had not apparently enough talent to fill the places.

Q. That is, the Americans had not enough talent? A. I don't know, I am sure, but I know there were three or four of us Canadians on there, and I don't think we would have been there if they had been able to produce the necessary article.

Q. Do you know many engineers qualified for the high positions on the Grand Trunk Pacific Railroad now occupied by the Americans? A. Well, I think I could name several gentlemen who are qualified for the various positions.

Q. For Chief Engineer who would you mention? A. Well, I think that Mr. Hugh D. Lumsden is a very capable man. I have been associated with him for the last twenty-eight years. When I say that, I mean that is when I first met him, and I think that he has all the qualifications necessary.

Q. Any others besides Mr. Lumsden? A. Mr. Jennings, I have never worked with him, but I know of him. He has been engineering as long as I have, from my recollections. I think he ought to be quite capable. If he is not he should be.

Q. Any others besides those two? A. There is Mr. H. W. D. Armstrong; he has had experience enough, I should think. Well, for Chief I would not like perhaps to say that; I would not like to commit myself.

Q. For Division Engineer? A. Oh, for engineers in general. There is Mr. J. A. Paterson, and in fact there are the two Armstrongs, the one who gave his evidence here this morning, and Sykes. There is Henry Kerry, there is Mr. S. Sykes, Charlie Keefer of Ottawa, W. Brunel, F. J. Garden of Vancouver, I think he is the Mayor or something of that kind out there; I know for years he worked with us, and proved himself a very efficient and competent man. Mr. Hillman, I remember him being connected with a road I was on once. Mr. Tom White, C. B. Smith. A gentleman by the name of Mr. E. Noble, whom I have lost track of altogether, he had charge there under the Northern Pacific Junction around North Bay.

Q. Were you yourself available for a position on this road within the last eighteen months? A. Yes, I was. I never applied, but I was available, and I think easily reached if they really required any one.

Q. Do you know others who were available and qualified? A. Yes, I think that a number of those who gave evidence to-day were available. Of course if I were to hunt the evidence up I could get it from our Engineering Club here in Toronto, and also the Institution in Montreal.

Q. You heard the names mentioned here by other witnesses? A. Yes.

Q. You agree with them? A. Quite, in its entirety.

JOHN L. BOYD, sworn, examined by

MR. MOWAT: How long have you been practising as an engineer?

A. About the last nine years.

Q. Are you one of the Boyd family, whose father is the Chancellor of Ontario? A. One of the Boyds.

Q. In what line has your practice run? A. Railroad work altogether.

Q. Location? A. Location and construction.

Q. What railways? Well, I have been mostly with McKenzie-Mann, and with Clergue and the Algoma Central, and now with the James Bay.

Q. As what? A. As locating engineer.

Q. In charge of what? A. In charge of a party.

Q. I see by the Grand Trunk records that you were available yourself for employment with the Grand Trunk Pacific? A. At that time.

Q. What position did you desire at that time? A. Well, I expected locating engineer with a party.

Q. At $175 a month, you understood? A. Well, I did not know anything about the salary at all.

Q. Is that a salary tempting to a man desiring that position?

A. It is; it is more than we are accustomed to getting.

Q. What was the result of your application? A. I heard nothing, not even an acknowledgement.

Q. You are worse than most of them? A. Mr. Kirkpatrick submitted my name to Mr. Hobson.

Q. G. B. Kirkpatrick? A. Director of Surveys. Mr. Hobson acknowledged receipt of Mr. Kirkpatrick's letter, saying that he had sent my name to Mr. Stephens for special consideration. I heard nothing. Shortly after that—well, it was in May, a year ago last May—I wrote to Mr. Stephens asking him if my name had been submitted to him, and what had been done, or if anything was to be done in the matter, as I wanted to look after my own interests, and I received no reply at all from Mr. Stephens—never heard a word, not a word.

Q. Did you let him know what your qualifications were, and previous experience? A. I think they reached him. Mr. Hobson had them, and they no doubt would reach him.

Q. Have you heard this evidence given this morning, that Mr. Stephens said he could not get available engineers? A. Yes.

Q. Outside of your own case, what is your opinion of that as a man practising nine years? A. He can get any amount of them.

Q. I suppose you desire to make those remarks applicable to those locating engineers, and so on? A. Yes, and in the minor positions—engineers of parties and such things.

THE COMMISSIONER: Q. Are you a graduate from the Toronto School of Practical Science? A. Not a graduate. I attended there years ago, but did

Q. How old are you now? A. I am 39.

MR. BIGGAR: You are not a member of the Canadian Society. A. No.

HARRY G. DIMSDALE, sworn, examined by

MR. MOWAT: Q. Are you a locating railway engineer? A. I have been employed as a locating engineer.

Q. In charge of a party? A. In charge of a party.

Q. For some time? A. About five years. Not all the time as a locating engineer; mostly on construction.

Q. Have you been engaged as a locating engineer? A. I have.

Q. I find your name among the Grand Trunk records as applying from Belle Ewart, Ontario, for employment on the Grand Trunk Pacific: did you apply? A. Yes, I applied from Belle Ewart twice, I believe.

Q. What answers did you get? A. That my application was filed for future reference.

Q. And you never heard from that? No. I also applied from Tennessee last year. I was employed there first of all locating a line in the Cumberland Mountains, and afterwards constructing it, and I wrote to Mr. Hobson at that time, that was last September, but I did not receive a reply then. Then I came north here for my health, and located at Belle Ewart for a few months, and wrote again to Mr. Hobson, and he replied stating that my letter had been given to Mr. Stephens, that Mr. Stephens had charge of these surveys. I also heard from Mr. Stephens that my letter had been filed for reference. Then I sent to Mr. Stephens a reference to my last record, and he stated it had been filed with my application.

Q. What age are you? A. 28.

ALEX. L. MACLENNAN, sworn, examined by

MR. MOWAT: Q. You came of an engineering family? A. Well, my father was an engineer.

Q. Are you yourself a graduate in engineering? A. Yes, graduate of the School of Science.

Q. Have you done practical work in the field? A. Yes, I have had five years.

Q. I find you applied to the Grand Trunk Pacific for employment on their surveys? A. Yes.

Q. What answer did you get? A. I applied to Mr. Wainwright, and I received a letter from Mr. Stephens saying that my letter would be filed, and if any work came up I would hear from him.

Q. What railways have you been employed on in this kind of work? A. McKenzie and Mann, and the Toronto & Pembroke and Lindsay, and I was in the City Hall one year.

Q. On street work? A. Yes, outside work; the Toronto & Niagara Power Company with Mr. Jennings.

Q. Your father was one of the engineers upon the construction of the C.P.R.? A. Yes, he was Chief Engineer of the North Shore of Lake Superior.

Q. He was here this morning; did he go away? A. Well, he is at home; he is in town.

THE COMMISSIONER: Q. Have you been on location work? A. Yes.

Q. How long on location work? A. Well, two years, that is, two summers.

Q. With McKenzie and Mann? A. No, with the Toronto, Lindsay & Pembroke Railway, and the past two years I have been with Mr. McDougall, County Engineer.

Q. What position were you seeking on the Grand Trunk Pacific? A. Locating engineer, or engineer on construction.

Q. How old are you? A. 26.

CHARLES B. BOUCHER, of North Bay, was called, but there was no response.

THE COMMISSIONER: I received a telegram from Mr. Lumsden, stating that he had a prior engagement on the Crow's Nest to-day, and he would be unable to be present at this time of sitting. He also telephoned me subsequently from Orillia regretting very much his inability, but stating that he would press on the work in which he was engaged as fast as he possibly could, and upon his return he would be willing to submit for examination. I do not feel that I am justified in closing this investigation without Mr. Lumsden's examination. I think it is highly proper that I should have his evidence, and for that reason I would not at all feel that I was doing justice in closing it without a thorough investigation so far as he himself is concerned.

MR. BIGGAR: I think you are quite right as to that, in view of what has taken place to-day. I would be very glad to hear his evidence.

THE COMMISSIONER: Now, on Saturday morning at ten o'clock we will have a session at Kingston. After that we will wait till Mr. Lumsden's return.

MR. BIGGAR: Could Your Honor give me an idea of how many witnesses are to be examined at Kingston.

THE COMMISSIONER: I think possibly a dozen at the outside. We have Mr. MacLennan, Mr. Dowling and Mr. Walsh, Mr. Carr-Harris. Mr. Mowat is taking charge of those; I have not a list of them.

JOHN MACCUNN, recalled:

The COMMISSIONER: Q. You gave your name to the Canadian Society of Engineers in 1904? A. Yes.

Q. Did you receive any notice that men were wanted upon the Grand Trunk Pacific Railway, from Mr. McLeod—that engineers were required on that road? A. No notice at all, and I think he failed in his duty to the Canadian Society in that respect. I think we ought to have a paid secretary, really.

Closed at 4.30 P. M.

Investigation adjourned sine die, awaiting Mr. Lumsden's return from the west.

KINGSTON, ONT., 16th July, 1904.
Court House, 10 a.m.

The Commission resumes.

Present, HIS HONOUR JUDGE WINCHESTER, Commissioner.
" H. M. MOWAT, Esq., K.C., Counsel for Government.
" W. E. FOSTER, Counsel for Grand Trunk Pacific.

The COMMISSIONER: Mr. Foster, you know the contents of the Commission, I suppose.

Mr. FOSTER: I do not know whether I have ever read it.

The COMMISSIONER: Then I will read it for your benefit. (Reads Commission). You appear for the Grand Trunk Pacific, Mr. Foster? A. Yes, your Honour.

The COMMISSIONER: Mr. Mowat represents the Government of Canada.

Mr. THOMAS W. NASH being sworn

By Mr. MOWAT: Mr Nash, I am told you are a civil engineer, have been practising in Canada for some years, and are now chief engineer for the Kingston and Pembroke Railway? A. Yes.

Q. Are you also a Provincial Land Surveyor for Ontario? A. Yes.

Q. In what railways have you performed prominent work? A. I have been principally employed on the Kingston and Pembroke and I was on the Grand Trunk during the construction of that road.

Q. As such have you been engaged in location as well as construction? A. Yes, sir.

Q. Let me know what was your latest work there? A. We ran a branch from Sharbot Lake to Ottawa, called the Ottawa extension.

Q. How long ago? A. 1901.

Q. Three years ago.

Q. In the practice of your profession as chief or division engineer has it been necessary for you to organize location parties? A. Yes, I organized nearly the whole of them that were sent out.

Q. Numbering how many? A. Well, I think over 100.

Q. Over 100 location parties you organized in Ontario and Canada? A. Yes.

Q. Has the practice of your profession brought you in contact with other engineers practising in Canada? A. Yes, more or less.

Q. Locating and construction? A. Yes.

Q. Now, you have heard the Commission read by His Honour the Commissioner, and I may tell you that in Montreal Mr. J. R. Stephens, formerly engineer on the Oklahoma Eastern Branch of the Santa Fe Railway, was called to give evidence, and it was pointed out to Mr. Stephens that in choosing his chiefs of staff, for the location of the Grand Trunk Pacific he had appointed, rather there were engaged eight out of nine who were American citizens who had not previously had engineering experience in Canada,

and he was asked to explain why that was done, and these questions were put to him:

"Q. Did you personally invite anyone from the United States to come over? A. Yes, after I had exhausted every effort to get others here. Q. Because you could not find Canadians to do it? A. Yes."

Q. Now as an engineer of experience what is your opinion of that statement? A. It is not true that he made every effort.

Q. You say that emphatically? A. Yes.

Q. Are there Canadians who have experience and competence to have taken charge of this work of the Grand Trunk Pacific? A. Yes.

Q. Does your answer include from the highest to the lowest? A. Yes.

Q. Perhaps you would give the Commissioner the names of those who in your opinion—you have got a list, I see? A. I have made out a list here of engineers I am personally acquainted with, of course the list comprises only those I know by reputation.

Q. That is all right. A. For the position of chief, or assistant engineer, that is the head who decides both the route and the mode in which the work is to be done, that is the detail of the road as well as the general features, I have down here Mr. Nelson, who is down in Mexico; Mr. Malcolm H. MacLeod, Chief Engineer of the Canadian Northern, Winnipeg; Professor Carr Harriss, Kingston, and Hugh D. Lumsden: that is four. Of course many of the engineers I formerly knew are dead.

Q. I suppose you know Sir Sandford and a number of older engineers? A. Yes.

Q. Can you mention other names, if in practice? A. I should certainly mention Sir Sandford Fleming's name.

Q. That is chief or head engineer? A. Yes.

Q. Have you got others? A. Division engineers in charge of some 800 miles, probably three: Henry Bannister, Winnipeg; Geo. H. Massey, Montreal; Malcolm McFarlane, Winnipeg, and C. H. Ostler, Montreal; that is four. District engineers to visit and report on field operations: Andrew Bell, Almonte; Albert McFarlane, Winnipeg; A. C. Kirkpatrick, Kingston, Hamilton Lindsay, St. Catharines. Of course, as I stated before, these are persons I am acquainted with personally. I am not going outside of my acquaintances. I could mention a great many more by reputation.

Q. You wish to confine the information to those you personally know? A. Yes. Now engineers in charge of parties: Walter Beattie, Delta, Ont.: Thos. Byrne Sault Ste. Marie; Joseph Doupe, Winnipeg; J. H. Moore, Smith's Falls, Ont.; J. L. Morris, Pembroke; A. D. McRae, Kingston; E. Goodwin, Sydney, C. B.; W. P. Wilgar, Cobourg, Ont.; Prof. J. L. H. Bogart, Kingston. That is nine. Transit engineers, J. V. Mitchell, Winnipeg; H. E. McCallum, Sydney, C. B.: A. R. Webster, Gananoque, Ont.; E. T. Wilkie, Carleton Place, Ont. Level engineers: C. W. Workman, C. W. Knight, James Macdonell, all of Kingston. Field or office draughtsmen: Hy Bannister, Winnipeg; C. C. Chadwick, Kingston, Ont.; C. W. Knight, Kingston, Ont.; C. W. Workwan, Kingston, Ont. Of course, there are a great many other young men who would be able to fill these positions who I know but do not know anything about their work. These men, I have seen their work.

Q. Yes, and you know it is excellent? A. Yes.

By the COMMISSIONER: How long have you known Mr. A. D. McRae? A. Six years.

Q. What experience has he had? A. He passed through college, and then was with me since 1900, that is four years.

Q. You are aware that he applied for a position on the Grand Trunk Pacific and was not given one? A. Well, no, I did not know that, but he said he had received no answer.

Q. Do you know of others who applied for positions and were not given any answer? A. Well, no. Mr. Mitchell applied, but he got a position.

Q. As an engineer in charge? A. Yes, in charge of a party now west of North Bay, up between North Bay and Winnipeg.

Q. Any others that you are aware of that were available for positions in the last 15 months? A. There were several asked me to whom to apply in making applications to the Grand Trunk Pacific. I told them to apply to Mr. Stephens, they stated they had applied. I don't know whether they did or not.

Q. Do you think if you saw a list of the applications to Mr. Stephens you would know their names. There are about 100 names there that applied and only two or three got positions? A. (Looking at list). I do not see Mitchell's name here.

Q. There it is: W. H. Mitchell. A. McRae is also here. I do not see Lindsay's name, he said he applied. Hamilton Lindsay of St. Catherines.

Q. In the various works in which you were interested or had charge of had you any difficulty in obtaining a sufficient number of Canadian engineers to do the work? A. Not at all, in fact there was a surplus.

Q. You had an abundance of applicants? A. Yes, the last parties we sent out I had five applicants to one position.

Q. What is the condition of engineers to-day as compared with then, are they as numerous? A. I think they are as numerous, they are adding to their numbers rapidly now both as to getting practice in the field and turning out of college.

Q. Are Canadian engineers capable for the work for which they were engaged? A. Yes, I have employed two or three American engineers who were very good men.

Q. Are our engineers as capable as those from the United States? A. Quite so, and they know the country better.

Q. In your opinion is it better to have Canadian engineers to do the work on this transcontinental line than United States engineers? A. I should say so because I believe they know the country better. Of course there may be specialists who have had larger experience in the United States on account of the larger field but there have been no cases in which we required specialists to do our work.

Q. Now as to specially exceptional work as that of a harbour engineer for terminals, is not that a special position? A. I know what you mean. I think we know as much about harbours as they do over there. For artificial harbours it is possible that they may have more experience than we have because they have laid out more than us.

Q. You did not require artificial harbours? A. No that is what I consider extremely special work.

Q. Supposing in looking after terminals at Port Simpson on the Pacific Coast and Port Arthur in Ontario would that require any specially qualified engineers? A. Not at all, the only special case would be to see a little about fortifications. We have military engineers who could decide upon that point as well as they have there. What I mean to say is that the only special thing about harbours is the question of defence.

Q. Is there anything about our climate or in locating parties that would render our Canadian engineers better qualified for this line than Americans? A. Yes, as a whole. The extreme northern part of the United States is similar to our country but in the balance of the States the climatic difference is greater and it would be better to have men who are acquainted with the peculiar conditions of the climate in this country. In fact that is essential.

Q. Now you know this is going to be a very long line requiring a considerable number of workers, do you consider that enough Canadian or Brit-

ish engineers in Canada were available for that work and capable of doing it? A. I have not the least doubt.

Q. After your long experience you have no difficulty in saying that? A. No.

Hon. WILLIAM HARTY, being sworn:

By Mr. MOWAT: Q. Mr. Harty you are a member of the House of Commons and chairman, also, I believe, of the Board of Governors of the School of Mines, Kingston? A. Yes.

Q. In the Parliamentary papers produced in this Commission is a letter of April 12th, 1904, signed by you addressed to the Right Hon. Sir Wilfrid Laurier on behalf of the Board of Governors of the School of Mines in which you respectfully ask his assistance in order to secure to the engineers of Canada recognition by the Grand Trunk Pacific Railway. The reasons for your request you say are: "The national importance of giving Canadians employment on works of their own country instead of driving them to seek employment abroad." "The national importance of not placing the purchasing of materials for the construction of this great national work in the hands of engineers from the United States who would naturally be more in touch with the manufacturers of the United States than in touch with the manufacturers of Canada." You also say:" We also wish to state that the canals and railways of Canada have been built by Canadian and British engineers and that these works prove that the engineers of Canada are quite competent to survey, construct and operate the G.T.P." I will not ask you whether these representations were made in good faith but I will ask you if you are satisfied that the representations made there were correct? A. I believe every statement there was correct, I know this in my official capacity.

Q. I suppose that personally you did not know about the qualifications of these gentlemen but you considered it as an officer of the Canadian School of Mining in connection with Queen's University? A. In my official capacity I had communications from several young men, who were graduates from the school asking my assistance as chairman of the board and as member of parliament, to help them to obtain employment.

Q. And you found they were not being appointed? A. I did not know of any of them being appointed.

Q. Was that the reason that induced you to make these representations? A. Yes.

By THE COMMISSIONER: Q. Have you had any experience with Canadian engineers? A. No, Your Honour.

Q. Not as a capitalist? A. Well I have had plenty of experience with engineers but I have no personal use for them. I have plenty use for mechanical engineers but not for civil engineers..

Mr. ALEXANDER K. KIRKPATRICK, being sworn:

By Mr. MOWAT: Q. You have been practising, I understand, as civil engineer for a number of years? A. Since 1882.

Q. 22 years? A. Yes.

Q. You are now city engineer at Kingston? A. Yes.

Q. A graduate of the Royal Military College? A. Yes.

Q. In what kind of engineering positions have you been? A. Railway.

Q. In Canada? A. Yes.

Q. I am told you also had some practice in Egypt? A. Yes.

Q. Under Sir Terence Young? A. I was under him and he had to go back to England at that time.

Q. Has your railway experience been in location as well as construction and maintenance? A. Yes.

Q. Charge of parties, etc.? A. Yes.

Q. Have you kept track of the achievements of Canadian engineers in a general way? A. In a general way.

Q. Has your practice brought you into contact with them? A. Yes.

Q. In order to know their work? A. Yes.

Q. Were you in Court when I read the representation made by Mr. Stpehens? A. Yes I was here.

Q. As to the appointments of American engineers—by the way I wrote you a letter from Toronto did you get it? A. Yes.

Q. Perhaps we had better put the question in accordance with the tenor of that letter: Thus in charge of the location work on the Grand Trunk Pacific Railway there were appointed one assistant chief engineer at $7,500, three division engineers at $4,000, three district engineers at $3,000, one harbour engineer at $3,600 and one resident engineer at $2,400 per year. Eight of these places were filled by Americans as well as several other positions as assistant engineers in charge of parties. Mr. J. R. Stephens, formerly of the Oklahoma Eastern Railway, stated in his sworn testimony before this Commission in answer to the question:

"Q. Did you personally invite any one from the United States to come over? A. Yes, after I had exhausted every effort to get others here.

"Q. Because you could not find Canadians to do it? A. Yes."

Q. In my letter to you, I mentioned a moment ago, I say: "I would like you to attend before the Commission and state your opinion as to this affirmation of Mr. Stephens" Now I wrote that in order to bring the matter to your mind and also any other engineer and I now ask you to give your opinion? A. I think if Mr. Stephens had tried very hard to fill those positions with Canadians that he could have obtained Canadians for those positions especially at this time.

Q. Do you think he would have to try very hard? A. No, if he had tried to any extent I think he could have filled the positions.

Q. Do you agree or disagree with his statements? A. I disagree.

Q. Have you got any reasons in particular for saying so? A. Well these salaries are very fair salaries and there are men who are in positions at the present time who would give up their positions to fill a position of that kind with that salary, especially on the opening up and commencement of a new railway.

Q. In other words you would say that a position on a national transcontinental railway with this salary would be looked upon as a prize in your profession? A. I think so. In accordance with your letter I have jotted down a few names of men who I think are competent for the work.

Q. That is all right, will you kindly read these names to His Honour? A. (Reads) H. W. D. Armstrong, J. H. Armstrong, M. J. Butler, J.A. Dickey, A. E. Doucet, E. H. Drury, W. Z. Earl, Sir Sandford Fleming, G. H. Garden, A. L. Heitzberg, W. T. Jennings, R. W. Leonard, H. D. Lumsden, D. McPherson, W. Mackenzie, M. Neilson, M. H. McLeod, J. S. O'Dwyre, J. M. Shanly, C. B. Smith, A. P. Walker, G. L. Wetmore, H. K. Wicksteed, John Woodman, T. H. White, Sir Percy Girouard, J. A. Hesketh, H. Lindsay, D. MacMullen, G. L. Griffith, T. W. Nash, E. H. Pense, H. B. Craig, W. P. Wilgar, M. Ferguson, W. Fairlie.

Q. I never heard of McMullen before, who is that? A. I am not certain whether it is W. or D. He is down in New Brunswick.

Q. Where did you meet him? A. I met him on the C.P.R. He was on construction there between Ontario and Quebec.

Q. You were then on construction? A. Yes.

Q. What distance of line? A. That was in 1883, I was a young man at that time. He was in charge of a party at that time. I met him after in different places in Canada in charge of work. I think it is William.

Q. Have you worked in the Rockies? A. Yes three years.

Q. On country north of Lake Superior? A. No.

Q. Well taking the Rocky Mountain work and the physical conditions of the country there what would you say as to the relative advantage of obtaining engineers accustomed to the physical conditions and those who had not that experience, I mean as regards transportation difficulties? A. Well a man who has had one or two years experience in our mountains will be much more valuable than a man who has not had that experience, both being of equal ability.

Q. Both of equal ability? A. Yes, equal ability.

Q. There will be something to be learned by the stranger? A. Yes.

Q. Then are you on the staff of any of the universities or attached to it? A. Yes I am on the staff of Queen's University.

Q. They have a course in engineering and surveying? A. Yes.

Q. What is your chair? A. Lecturer on railway and municipal engineering.

Q. Then the Military College, has it a course, you are a graduate of that? A. Yes.

Q. Does it fit men in its course for civil engineering? A. Yes some very good engineers, I think, have graduated from the Military College.

Q. Have you a list of men in the Royal Military College whose training was exclusively for engineering? A. I am not conversant with the work of all these men, but I will give you the names of those men I know something of.

Q. By reputation? A. By myself personally.

Q. This list is your own? A. No, I took the list of all those practising railway work, but I am conversant with the work of these men.

Q. Suppose you give us the whole list and give us the names of those you have marked. (A list of 73 names produced.) A. (Reading.) W. H. Sullivan.

Q. What Sullivan is that? A. W. H. Sullivan in Charlottetown, P. E. I.

Q. That is a pretty good list for the Royal Military College; how many of these do you know of their work? A. E. A. Doucet, Cartwright, Hesketh, Drury, Carr-Harris, Almon, Woodman, F. E. Hutchins, he is in South Africa at present.

Q. In the first list you have mentioned, Mr. Kirkpatrick, what positions would you testify that these men were capable of holding, the chief or minor? A. Well, that list is made out without regard to the fitness of some of these men to fill the chief positions.

Q. I notice your own name is not included in that. If you were asked if you were capable of filling the position of chief or division engineer, what would be your answer? A. I think I could fill the position of division engineer.

Q. In passing, Mr. Kirkpatrick, I would like you to tell me if you know anything about the attainments of Mr. George L. Griffith of Winnipeg, who appeared before the Commission there? A. Griffith, is his second name Lewis?

Q. Yes George Lewis Griffith, aged 55? A. Well, I hardly think he is as old as that, I thought he was 50. He was employed as assistant to J. H. Armstrong on the C. P. R., some years ago, I knew him there.

Q. He was a graduate of some university in Wales? A. Yes, he is a Welshman.

Q. Is he a competent engineer? A. Well, I think so. I have not seen him for some years; he was a bright young man.

By the COMMISSIONER: Are you a member of the Canadian Society of Civil Engineers? A. Yes.

Q. Now, from your experience, which has been considerable, you consider you would have no difficulty in building this line with Canadian engineers? A. I would prefer the Canadian to the American engineers.

Q. No difficulty in having a sufficient number? A. No, I think not.

Q. You have an idea of the number in Canada; from that number you think the work could be exclusively done by Canadian engineers? A. I think so.

Q. In your opinion are they capable? A. Yes.

Q. Within your experience? A. Yes.

Q. Have you had experience with American engineers? A. Yes, I worked in Virginia one year.

Q. Now comparing their work with the work of Canadian engineers which would be the better for this Grand Trunk Pacific, better qualified? A. I think the Canadian engineers would be better men for this line on account of climate and their knowledge of what is required in this northern country, over those who have not had experience.

Q. As to division engineers, men in charge of about 800 miles, with certain parties, each party having an engineer in charge, which do you think would be preferable, Canadians or Americans as division engineers? A. I would prefer the Canadian engineers.

Q. Can you give me your reasons? A. A Canadian Engineer who has been through that country and knows our climate is better able to direct the work of his chiefs of parties, knowing the topography of the country and our climate.

Q. How about the question of supplies? A. Yes, the question of supplies, the getting in of supplies, is a very important consideration to my mind.

Q. How about the question of supplies? A. Yes, the question of supplies having gone astray. You consider then that for this purpose Canadians would be preferable? A. Yes, preferable to Americans.

By Mr. FOSTER: Were you an applicant? A. No, I was not.

MAJOR HENRY A. PANET being sworn:

By Mr. MOWAT: Major Panet, you are a civil engineer in the Royal Military College? A. Yes.

Q. Under Col. Reade? A. He is on leave now.

Q. Professor Butler? A. He is away in England.

Q. Were you in court when Mr. Kirkpatrick, graduate of your college, gave his evidence? A. Yes, sir.

Q. Does the Military College have a course of training fitting young men to become railway engineers? A. Well, a course in general engineering, not specially railway engineering.

Q. Including railway engineering? A. Yes.

Q. Are you familiar with the names given by Mr. Kirkpatrick? A. Yes, sir.

Q. What do you say as to their capacity and achievements? A. I think some of them have had a great deal of experience from what I have heard, but I am not in the engineering branch myself and cannot very well tell.

Q. You are not in a position to be able to give explicit information as to them? A. No.

Q. You are a gunner? A. Yes, I am a gunner.

Q. Do you know whether any enquiries were made by Mr. Stephens, Mr. Hobson or by any officer in the head office of the Grand Trunk Pacific for graduates or cadets? A. No, sir, there is nothing on the records to show that.

Mr. JOHN D. COCHRANE being sworn:

By Mr. MOWAT: Captain Cochrane, you are a professor in the Royal Military College? A. Yes.

Q. What is the name of your chair? A. Surveying.

Q. Are you a graduate of the college? A. I am, yes.

Q. How long have you occupied your present position? A. Since 1897 I have been professor of surveying.

Q. Was that the first time you were called? A. No, I have been there since 1883.

Q. Since 1883 on the teaching staff? A. Yes, up to 1897 was assistant, from 1897 professor.

Q. Is your course one for teaching railway surveying; I mean to say more general, but is that subject taught? A. There is of course a general course in surveying, but under the heading of civil engineering they have the application of surveying to railway work.

Q. That is location work? A. All complete railway undertakings from the start.

Q. Then during the course of your 21 years on the staff of the college has your duty or inclination been to keep a general knowledge of their achievements? A. Simply a general knowledge. There are so many I cannot possibly recollect them all.

Q. Have many graduates gone into civil engineering practice? A. Yes, I suppose the majority of them, I would say a very large number.

Q. Do you happen to have a list yourself? A. No.

Q. Did you hear Mr. Kirkpatrick's list? A. Yes.

Q. What do you say as to that? A. Several of the men I have followed and have kept up my acquaintance with them to the present time. I know that they occupy foremost positions in engineering.

Q. Do you know R. W. Leonard? A. Yes.

Q. John Woodman? A. Yes.

Q. A. E. Doucet? A. Yes.

Q. Drury? A. Yes, each one of them I have known very well.

Q. I suppose you are one of the teachers of Sir Percy Girouard, who is down in South Africa? A. Yes, I was assistant then.

Q. Are these men I have mentioned capable of filling the position of chief engineer of this location? A. As to a question of that sort my evidence, I think, would not be worth much. I have no practical experience.

Q. You have not had to do with practical work on railway location? A. No, I have never been practically engaged on it.

Q. Who is the professor who has more practical experience? A. Professor Butler.

Q. And he, it has been told us, is away in England at the present time? A. Yes, all the men you have mentioned have been instructed by Professor Carr-Harris, former professor.

Q. Did you hear the statement made by Major Panet that no application had been made by the Grand Trunk Pacific or by Mr. Stephens for men to occupy these positions, is that correct? A. So far as I know no applications have been received.

Q. Was it ever discussed by the members of the staff, any complaint as to the selecting of men for this work? A. No.

Q. You have heard the statement made by Mr. Stephens that he had exhausted every effort? A. I did.

Q. That exhaustive effort did not go as far as the Military College? A. No effort so far as I know was made at all.

Mr. JOHN L. H. BOGART, being sworn:

By Mr. MOWAT: Q. Mr. Bogart you are a graduate of the Royal Military College I understand, and now professor of the School of Science? A. Yes, lecturer.

Q. How long have you occupied that position? A. Since 1899.

Q. What was the date of your graduation from the college? A. I graduated in June, 1897.

Q. Have you had experience as a civil engineer? A. Yes.

Q. Been in charge of a party on location? A. Yes.

Q. On what railway? A. Marmora Railway Company extension.

Q. Is there a course in your university for instructing young men in engineering and surveying? A. There is.

Q. Can you give us approximately the number of graduates? A. Well a class has been turned out for the last three years. From 15 to 20 a year I could tell if I had a calendar. Of course these are in different branches of engineering. In civil engineering there would not have been that number.

Q. I suppose that includes mechanical, electrical and mining? A. Yes.

Q. Can you impute a certain number to this branch particularly? A. Well this year there were five graduates.

Q. How many engineers has your university turned out in the last five years capable of taking the position of—but what is the age of this college? A. About ten or eleven years.

Q. We know that in that short time it has not turned out men capable of taking the place of chief engineer, but I will ask able to occupy the position of district engineer, or engineer in charge of parties, transitmen, levelmen or other scientific branches of engineering? A. Yes, it has turned out a number of men.

Q. Were you yourself available for employment on the Grand Trunk Pacific? A. Yes, I made application.

Q. You made application for employment? A. Yes.

Q. Did you apply for any particular position? A. I made application for having charge of a party.

Q. You mean an assistant engineership? A. Yes.

Q. What was the answer you got? A. I have the letter of application and answer.

Q. (Looking at correspondence) You sent in a letter on the 21st February of this year, renewing your correspondence of April, 1903. There will be previous correspondence? A. That correspondence was in regard to the Grand Trunk Railway with Mr. Hobson.

Q. Perhaps the next clause will explain:

"Renewing our correspondence of April, 1903, regarding work on the Grand Trunk Pacific survey, I understand you are endeavoring to form parties for field work. My standing in the engineering world was fully gone into in said correspondence. In past years I have taken charge of bridge work, testing of same and also locating on railway survey. Kindly let me know if you could offer a position as engineer in charge of a party.

"I can strongly recommend to you Mr. T. N. Fairlie who will apply to you for an instrument as a transitman or levelman. He has had experience under me on location, etc. If you so desire I could form a party at Kingston for your surveys, or more than one if you required it. Would you kindly let me know rates of pay for the different positions on a party.

"Looking for a favourable reply as soon as possible,

"I remain, yours truly."

Q. Who is that addressed to? A. Mr. Stephens. Mr. Stephens answered on the 25th of April, 1904:

"I have yours of the 21st instant, with reference to procuring positions on the Grand Trunk Pacific. I am unable to offer you anything at present but have placed your letter on file and should it be possible to utilize your services, etc."

Q. Did you receive a further letter? A. No, that was the last communication I had from Mr. Stephens.

Q. You say that you could form parties, do you mean from young men or graduates of the School of Mining? A. Yes, a number had spoken to me in regard to the work and I felt sure I could form a party at Kingston.

Q. Young men who knew each other and knew each other's work and whose work you knew? A. Yes.

Q. The rates of pay on this line, I see Mr. Stephens did not reply to that point, but they are $100 per month for transitmen, $75 for levellers and draughtsmen. Are these considered in your profession as fair? A. I think they are very fair rates of pay.

Q. Would the graduates of the university accept of those rates of pay? A. I think so.

Q. Do you know Mr. A. D. McRae? A. I am acquainted with him.

Q. What is his capability as an engineer? A. I think he has had experience with Mr. Nash as he has attended classes of mine in the university for two or three years since.

Q. Did he prove his capacity? A. Yes.

Q. Do you know Mr. Warmuth? A. No I do not.

Q. Is Mr. Fairlie here? A. Yes in court.

Q. What are his attainments? A. I think he has proved himself very efficient.

Q. Now as to his engineering work in the university is it in surveying and engineering? A. Yes.

Q. Has he had field work? A. He was with me five months on the Marmora.

Q. Were any enquiries made of the Kingston School enquiring if capable men could be sent for the Grand Trunk Pacific work? A. Not that I know of.

Q. You would be in a position to know? A. Well anything of that kind is usually posted so that students could make application.

Q. Who address your secretary or the?— A. Well the School of Mines, Dr. Goodwin attends to this.

Q. Is he in town? A. No I do not think so.

Q. Who else? A. Mr. Chown, the registrar.

Q. You say that if there had been applications you would have heard of them? A. I think I would.

Q. You have heard these things said by Mr. Stephens that he did not appoint strangers until after he had exhausted all means of getting Canadians. Have you got any opinion to express as to that? A. I do not agree with his opinion by any means.

Q. Would you have been able to take up those with you for permanent work without their having to leave off work of going to College? A. My intention was to take up work for six months at the very least.

Q. Supposing objection had been made to that and the company stated they did not care about sending your party out for such a short time on account of the expense, what would have been the result? A. It would depend on the permanency of the position they could offer.

Q. If they offered a permanent position at $175, that is the pay attached to the chief of a party, would that have been acceptable? A. Yes.

By The Commissioner: Q. Did you correspond with Mr. Knowlton, division engineer at North Bay? A. Yes, I had some correspondence.

Q. Have you it here? A. No.

Q. Did you apply to him for a position? A. Yes, I made application.

Q. Later than the application to Mr. Stephens? A. Yes.

Q. Do you remember his reply? A. In my application to him I stated that I would be available for the summer months and of course he did not care in a way to employ men who did not stay permanently with him. He made no further offer.

Q. Have you a copy of your letter to him? A. I think I have. I am afraid this letter book is just previous to that letter (looks through letter book). That correspondence would be later.

Q. What did his reply state? A. He said there was no position open at present.

Q. Did he object to the six months? A. He objected to the six months, but still in my first application I applied for a position and got a reply that there was nothing available at present, similar to Mr. Stephens' reply, and then my correspondence with the former was more particularly in regard to two students who had made application to me in regard to their ability and I had practically given up the idea of going out on account of the time, only being available for five months and it was this letter in April—

Q. You recommended Mr. Fairlie as a permanent man? A. Yes.

Q. What position did you ask for him, engineer in charge of a party? A. I think it was instrument man.

Q. And Dillabough? A. As instrument man.

Q. Were they available for a permanent position? A. Yes.

Q. Both? A. Yes. In my first letter of course the six months was rather against any applications from the school. I was writing on behalf of the School of Mining, while if any position could have been found available I would have supposed they would have expected some explanation, but the reply was of course that the six months would prevent my employment on account of the expense of taking them out and bringing them in. That would not apply to Mr. Fairlie or Mr. Dillabough. I wrote Mr. Knowlton then after asking these gentlemen if they would accept a permanent position for a year or more. I wrote him again stating that they would be willing to remain out if they were offered a position.

Q. You know Mr. Robert R. Carr-Harris, he is now of St. Catharines? A. I am acquainted with him.

Q. He is also a graduate? A. Yes.

Q. He is spoken of highly as an instrument man? A. I have heard him specially mentioned.

Q. Where he is now, he is giving very good satisfaction. It was so stated in Toronto? A. Yes.

By Mr. Foster: Q. What was your experience on the Marmora? A. I was in charge of preliminary and location work.

Q. What is the extent of the line? A. The line was run from Cordova north in a very rough country.

Q. What distance? A. Well as to the distance there was no definite distance on the line. We were going to push as far north as the time would allow, and also a new line that ran from Bamberg across. We went up about 20 miles of line on location in that section.

By Mr. Mowat: Now Mr. Bogart will you take a couple of hours and give us the names, as best you can, of those available and those who applied, students and graduates, for permanent positions, in regard to graduates who have applied I mean. Give us the best information you can. I have called on you, you were not prepared and a couple of hours may refresh your memory.

Mr. Robert Carr-Harris, being sworn:

By Mr. Mowat: Q. I understand you have been for a good many years a civil engineer in Canada and for many years were professor in the

Royal Military College; that you held chief positions as engineer under the Nova Scotia Government, the Dominion Government. the Quebec Government, and the C.P.R., is all this true? A. Yes.

Q. In what positions have you been? A. In chief and subordinate positions but not chief engineer.

Q. Extending from 1860 down to the present time? A. Yes.

Q. How long is it since you were professor of Civil Engineering in the Royal Military College? A. About seven years.

Q. Were you not connected with other universities? A. For several years with Queen's.

Q. I understand you have had under you a large number of young men, having trained them for positions in railway location and construction work? A. Yes.

Q. I happened to come across this letter from Sir Percy Girouard in which he has the greatest pleasure in testifying as to your endeavours and unfailing interest in the welfare of your students. Sir Percy's letter was written on the 2nd September, 1899, on the occasion of his visit to Montreal and reads as follows:

"Dear Sir,—I have the greatest pleasure in testifying that to your endeavours and unfailing interest in the welfare of your students in Engineering I can attribute largely any measure of success that I have attained as an engineer.

"Your broad mindedness I think taught all the cadets of the Royal Military College of my time a very valuable lesson as to the manner in which they should approach engineering questions and saved many from becoming automatons or mere draughtsmen.

"My grounding by you in railways and in hydraulics and in general engineering left a lasting and valuable impression."

Q. Sir Percy Girouard was one of your students? A. Yes.

Q. Now in charge of railways in South Africa? A. Yes.

Q. Mr. W. N. Kennedy, Royal Engineers? A. Yes.

Q. Mr. Kirkpatrick here? A. Yes.

Q. And I suppose a large number of others? A. Yes, all of them except within the last six or eight years.

Q. I understand you have taken considerable interest in this question of the employment, unnecessary employment of aliens where Canadian engineers are available and you, this morning, gave me this list of Canadian engineers who were suitable and competent. Is that correct? A. Yes.

Q. I will not ask you to read it as I see it contains 152 names.

Q. Have you yourself, as an engineer of experience, come in contact with many engineers in engineering works in Canada? A. With a great many.

Q. Have you met American engineers in Canada? A. I have met some.

Q. In chief positions? A. No.

Q. Are you familiar with the work of Canadian and American engineers in Canada? A. I am not personally familiar with the work of United States engineers in Canada. The truth is that in ordinary conditions they do not make much show in competition with Canadian engineers here.

Q. You do not place them? A. We had very few American engineers in Canada until very lately.

Q. Do I understand you to say that you do not place American engineers in the same class as Canadians? A. No, I did not mean to say that. What I mean to say is that I have not met many American engineers in

Canada of any grade at all until quite recently when Canadian engineers have been discriminated against.

Q. In your opinion Canadian engineers have been discriminated against? A. Undoubtedly.

Q. By whom, what railways or employees? A. Of course I am speaking without personal knowledge, the Grand Trunk Pacific. I have not made any application myself to the Grand Trunk Pacific management, but simply from what many have told me that they had made applications and invariably they have been informed that their applications had been placed on file. From this I should say that Canadians have been discriminated against.

Q. What reputation have Canadians in the engineering world? A. I would like to say that Canadian engineers are second to none in the world for all works that may be called outside works exposed to the weather such as canals and railways.

Q. Is the Canadian system of canals superior to that of other countries? A. The Canadian system of Canals is said to be the most superior in the world. Canada's transcontinental railway has been built practically from tide-water in Montreal on the St. Lawrence to tide-water in Victoria; whereas the American transcontinental lines have started from the middle of the continent and may therefore be said to be of lesser extent. This is not perhaps the reason why I would say that Canadian engineers are superior for outside work but rather because we have in Canada to contend with very severe exigencies of climate, from frosts and situation of valleys, freshets, swollen rivers and swollen streams. More so than the country to the south. This has enforced on Canadian engineers first of all an accumulation of largo experience of these matters and it has also enforced upon them a great perfection in their work.

Q. You say that the topographical characteristics on Canadian railways have to be considered as distinct from those that are found in other parts. Is this opinion shared by others? A. I would not express the matter precisely in that way. I would say that the Canadian railway engineering staffs have grown irregular from work to work and expanded and in possession of a very large amount of inherited experience, inherited from the previous work, which works have been of a very continuous nature: for instance, the specification upon the C.P.R. contract was made easy of development from over three previous specifications; as for the Nova Scotia Government railways that specification was based on the Dominion Government railway, that specification was again moved on the Quebec Government railways and from there it was moved on to the C.P.R., in the year—

Q. In 1874? A. Not in 1874. I think it was when Mr. Alexander Mackenzie let the contract to the syndicate which was—1873 or 1874.

Q. I have in mind that some competent authority in the United States has referred to the advantage Canada has in having a continuous railway. Do you know anything about that? A. I do not remember seeing anything to that effect. I know this, that the United States Pacific railways have approached their own Congress with a petition, some years ago, for relief from some Congressional obligations, and have alleged for their reason that the C. P. R. was beyond their competition.

Q. Beyond their competition in view of its continuous length? A. No, in view of the fact that the Canadian Government had so strengthened

the C. P. R. that all appliances and equipment were of such a nature that it was impossible for the United States Pacific railways to compete.

Q. That was their contention? A. I observed this from my own experience on one occasion. If you wish to have it I will give it to you.

Q. Well, give us your experience? A. Comparing efficiency, I was travelling upon our C. P. R., some ten years ago. It was a very heavy train crowded with immigrants who had landed in New York. We were then approaching Vancouver. It was simply this, that these men had landed in New York by boat and the C. P. R. had completely taken them away from the United States railways. They were bound, they said, for San Francisco. They said it cost them £2 per head less. I simply mention this as to the efficiency of the railway.

Q. Comparing the achievements of Canadian engineers on Canadian railways, how do they compare with similar works and achievements of those in the neighboring republic. Can you state any facts from which we can make a comparison. A. One fact under my own observation is that the location of the American Pacific was through a treeless country, in good part without any very great depression, whereas the Canadian location was in a very low and densely wooded country, requiring the least curve elaboration of surveys.

Q. Does your work on the C. P. R., as engineer give you any facts from which you can impart information to us as to American engineers? A. I have had two American engineers working for me.

Q. Did you know Major Rogers? A. No.

Q. Were you acquainted with his work? A. I have been over it. I was sent there to inspect it.

Q. For what purpose? A. To ascertain whether Major Rogers had put in ten degree curves, or whether he had put in higher curves.

Q. What was the result? A. I found he had put in thirteen instead of ten degrees as he claimed. I measured these myself.

Q. Did your critical observation at that time lead you to compare the elevations and grades as bearing on the passes? A. Compared with the elevations from the dictionary of Canadian elevations, I did not visit Yellow Head Pass myself, I find that Major Rogers is 1,600 feet higher than recommended by Sir Sandford Fleming. I have heard it said that the difference was 2,000 feet, but I think it more correct to say 1,600 feet.

Q. You got that from tables being illustrated in—? A. Yes, in the dictionary.

Q. You have heard the statement made by Mr. Stephens, assistant chief engineer, that he had not employed these eight Americans out of nine positions until he had exhausted every effort; what is your opinion on that? A. Undoubtedly Mr. Stephens could have procured Canadian engineers if he had taken proper means to do so, of equal competency to those in the States. I would say of much superior competency for that work.

Q. Why do you say that? A. I have already stated that Canadian engineering has grown from great works successfully undertaken in Canada, and therefore has inherited a very large amount of experience and skill which it would be impossible for any man to possess unless he further had 30 years experience himself, or had inherited it from others.

Q. Judging from the physical conditions of Canada? A. From the physical conditions of Canada I am not quite clear about that. At the same time I think Mr. Stephens very probably did not view the matter in that light, merely viewing the matter in his own light. In other words he was not aware of conditions.

Q. This experience in railway location in Canada, you say, is not likely to be easily acquired, but must come down from long experience? A. I may answer more satisfactorily by saying that any engineer, Canadian or Amer-

ican, when he plots a country of great extent and unknown features requires to use his utmost knowledge in locating, not only the usual subject, the usual knowledge of the subject. In other words locating to be done economically is really a deep subject. You require to gauge the spirit of the country in order to properly accept or reject, and I am quite positive that it requires a great deal of experience in a country where you are working before you can make superior location; any man can make inferior, and a good many locations are inferior.

Q. What are the authorities on engineering works and text books that the weather disturbances on the aneroid barometer render it unfit for? A. About the best general text book is an American work entitled Standard American Civil Engineers' Handbook, by John C. Trautwine, but not for locating railways.

Q. Why do you say that, because Mr. Trautwine's book is highly regarded by many engineers? A. Mr. Trautwine's is a very excellent work but with regard to locating he cannot be considered an authority because he condemns the use of one of the three most important instruments used in locating.

Q. What is that? A. The aneroid barometer. He states in short that the weather disturbances on the aneroid barometer render it unfit for use.

Q. Is there any consensus of opinion among Canadian engineers? A. On the contrary Sir Sandford Fleming in his printed instructions to me, on the location of the C. P. R., says these words: "In order to avoid weather disturbances on the barometer you will require to use two barometers, one for field observations from which you must record the observations of the field work, the other barometer is to remain stationery in camp, and its reading recorded by yourself in camp, and at the close of the day's work, the disturbances due to the weather, indicated by the stationary barometer, are to be deducted from the record of the field barometer." Of course this gave to Canadian locating engineers the free use of the most important and economic Canadian instrument that Trautwine has condemned.

Q. Complete reliance, you think, should not be placed in Trautwine? A. No. The extraordinary thing about this is not that Trautwine makes this mistake, but the extraordinary thing is that his book in passing through seventeen editions in the United States, and been handled by American engineers in the American profession, they have not observed this mistake, which was certainly due to carelessness, and have not corrected it.

Q. In your reading of American journals have you seen any corrections? A. I have not seen any. I suppose the greatest correction is in the work itself to eliminate it out of work.

Q. Among Canadians are there engineers of great achievements and reputation? A. Canada has produced the most important railways and canals of the world. John Page, late chief engineer of the Dominion canals, I think, stands unsurpassed as a canal constructor. Sir Sandford Fleming, Collingwood Schreiber and Sir Percy Girouard, I think, may be considered the greatest continental railway men of the world, possibly with the exception of the engineer of the Siberian Railway in Russia, I do not know what his name is. But as regards the magnitude of the work I regard the Canadian engineers under the circumstances of the case, are the greatest men of this class.

Q. Well, then, has your experience allowed you to think that the training given out, or likely to be given out, has not deteriorated in the class of these great men? A. On the contrary, the younger Canadian engineers are nearly all university graduates of scientific colleges of high standing. By the way, I made a calculation of the number of graduates going out only in Canada within the last year.

Q. On what do you base that; on the calendars? A. I took the calendars I could get; I was not able to get McGill University.

Q. Who did you write to? A. Professor McLeod.

Q. Professor of engineering; did you get a reply from him? A. I wrote to his department.

Q. You did not write to him personally? A. No, I wrote to no person but to the Department of Engineering of McGill, and received no answer. I have taken three calendars; I think I got Toronto University, I received that by return mail, also Queen's and the Royal Military College.

Q. And what is the result of your calculations? A. 136 graduates this year.

Q. 136 under this heading, in the course of railway engineering? A. In the course of general engineering, but I do consider every one of these men mechanical and electrical engineers ready to run a transit.

Q. You think they would? A. I say without fear of incorrectness that one who has graduated in electrical and mechanical engineering is quite competent to run a transit or level. You must understand there are junior levellers, and many of the juniors run cross sections. With regard to the American engineers I think that the United States produces excellent men, and I think that Canada produces excellent men. I think, however, that the Canadian engineers would repudiate emphatically, would protest against being protected against engineers from any country.

Q. You think Canadian engineers can stand their own ground, and are able to meet competition. You think they do not require legislative provisions? A. We do not require legislative protection, but we require legislative justice.

Q. The complaint with which you have associated yourself in a number of documents is not for lack of protection but against discrimination in favor of the Americans? A. Decidedly so. I may perhaps say forthwith that I am not aware of any personal protest against them.

Q. I understand that you are associated in some of the protests? A. I am quite willing to do so.

Q. Do you know Mr. Geo. L. Griffith? A. I know him slightly. I met him on the Rocky Mountain division of the C. P. R.

Q. Mr. Griffith refers to you as to his attainments and reputation as an engineer? A. That is correct. His record was sent to me for investigation and I studied it very carefully, and knew him very well when he was in the Rocky Mountains.

Q. Then there are some chips from the old block, Mr. R. R. Carr Harris and Mr. Athol Harris? A. Yes, two sons of mine.

Q. They were trained under your supervision no doubt; are these young men competent? A. They were trained not under my supervision, but both went to engineering schools.

Q. What position as engineers would you as a proud father think they were able to take, would they be able to take charge? A. Neither of these young men is possessed of much experience in the field. The older boy Ralph, only graduated last year, and since then has been employed as instrument man under Mr. R. W. Leonard of St. Catharines, who would be the best man to speak of his capability.

Q. We have already had his report which is favorable. Now as to your other son? A. Athol applied to the Grand Trunk. I think I should perhaps correct myself in saying that he was telegraphed for to report to the Grand Trunk, I think a year ago last May, and he put in a summer with them at North Bay, frequently in charge of a party. He ought to be a very good instrument man now.

Q. Fitted to take charge of a party, you think. What is his age? A. Twenty-one.

Q. Is he fitted to take charge of a party? A. I should think so, with the experience he has had. I know that he ran what we call stadii last summer, which means that he takes levels.

Q. Is he a graduate? A. No, he is not a graduate.

Q. Did he apply for employment this year? A. He did apply.

Q. When, do you know? A. I suppose in the spring.

Q. This spring? A. I think so.

Q. What was the result? A. He was not employed, as his application was to be put in the field. Subsequently Mr. Knowlton telegraphed and offered him a position as draughtsman at $75 which he could not accept.

Q. Having procured more remunerative employment? A. No, it was below his grade, too much below his grade.

Q. He would have been able to take a position as transitman, leveller, etc.? A. Undoubtedly, after the experience he had had. He had charge of a small party before going to the Grand Trunk Pacific.

Q. Had he much to do with Mr. Knowlton: did he come in contact with the engineers of the parties? A. I think so.

Q. What did he say? A. He said that Mr. Knowlton was very nice to him. He said the man in charge over him was Mr. Dixon, who was sick with rheumatism and left. He said that they got him to stay out longer than he wanted. When he came in Mr. Knowlton was very nice to him. I asked him what kind of work he had. He told me what I stated to you about stadii. Mr. Knowlton was very loath to part with him, but he asked for it.

Q. But finally he only offered him a position which was refused? A. He would not have left at all, if he were paid what other men were getting paid.

Q. Your interest in this enquiry may have lead you to form other opinions I have not asked, and which we would be very glad to hear? A. I would like to bear my testimony, after having had a great many years' experience on the great railways of Canada, to this, that it is a mistake to suppose that the great railways of Canada have been conducted without economy and without care; on the contrary, the utmost economy and the most minute accuracy have been the characteristics of Canadian surveys and construction. They have been constructed in a righteous and most honorable way. I would like to bear testimony on behalf of the engineers of Canada, and say that a more honorable body of men, of higher intelligence, it would be hard to find. I can recollect several instances. For example, Mr Jennings, of Toronto, resigned his position rather than put up with municipal dealings; Mr. McConnell, of Montreal, also took the same high stand, and resigned his position. Sir Sandford Fleming, 12 or 14 years ago, resigned his position as chief engineer, sooner than report twice on the same subject. When I remember that Mr. Tomlinson, who was employed long after under the Canadian Government, resigned his position in the United States, because he refused to put in an imperfect bar in a bridge, which fell after an American engineer, who took his place, had done so almost immediately afterwards. When I remember all these things I am right in saying that the Canadian engineer has a high standing, and I would wish to say this without any disparagement to the United States engineers. They are excellent men, but they cannot be considered to be equal to our own. If you wish to get a list?

By the COMMISSIONER: Have you the names of eminent Canadian engineers who are qualified as chief engineer on location as well as construction? A. I think, Your Honor, that Canada can produce a dozen men fitted for that position.

Q. Can you name some of these? A. Well, first I would say Sir Sandford Fleming, who I am sure would have all the engineering sentiment behind him in his support and endorsement. I would of course mention Mr. Schreiber. I would mention Sir Percy Girouard, who has built perhaps as

great a continental railway, and perhaps more difficult than any in America. Mr. A. E. Doucet, who is a most competent and able man; P. S. Archibald, Mr. H. A. F. McLeod. There is another MacLeod with Mackenzie and Mann, and Mr. T. W. Nash, I think, would be very good men. Some of the younger men I might mention as being competent are Mr. Leonard, John Macdonell of Winnipeg has got the nerve and strength to fill that position. We have a great many good harbor engineers, among others Mr. L. N. Rhéaume, Mr. W. B. Dawson, Mr. Baillargé and Mr. Cowie. For minor positions, district or division engineers, I think John Woodman, Brien McConnell, Cecil B. Smith, James Dickey, Geo. L. Griffith and H. Lindsay would be perfectly safe men. I should have mentioned among the men who are quite competent, Mr. T. W. Nash; he has had such an enormous experience in locating, and his reputation is so well established on that point that a better man could not be got.

By Mr. FOSTER: Did you have some correspondence with the Canadian Society of Civil Engineers in regard to this matter? A. I think not, sir, I do not remember.

Q. You had some correspondence with the secretary of the Canadian Society of Civil Engineers in regard to the employment of these men? A. Letters?

Q. Have you communicated? A. I would be inclined to say not, I do not remember the slightest correspondence.

Q. I understand that you had taken it up with them and they refused. A. Perhaps I might explain that the Provincial Secretary may have had some correspondence with that institute. I certainly, as far as I remember, I had none personally .

Q. Speaking about salary you had some experience with the Grand Trunk some time ago? A. In a lawsuit?

Q. Some work you did? A. On one occasion they employed me under Mr. John Bell to report upon the St. George viaduct bridge structure. I found Mr. Bell a most obliging and generous correspondent until I reported against the structure. Mr. Bell then declined to pay me.

Q. You made a charge of $1,420 but Judge Rose thought $710 was sufficient. A. I do not remember the detail.

Q. All I may say that you charged $1,420, which had to be investigated in court, and that the result was your charge was reduced to $710.

By Mr. MOWAT: That shows that Mr. Justice Rose differed in the value of your services from you? A. Yes.

Mr. ALEXANDER D. MCRAE being sworn:

By Mr. MOWAT: You are a practising civil engineer? A. Yes, sir.

Q. How long? A. About five years.

Q. Have you been in charge of a location party? A. I have.

Q. Are you a graduate of Queen's University? A. Yes.

Q. What degree? A. Graduate first in Arts, B.A., and in Science, B.S.C.

Q. Under what engineers have you been employed? A. Mr. T. W. Nash, chief engineer of the Kingston and Pembroke Railway.

Q. What kind of country were you locating? A. Very rough and rocky country.

Q. Where? A. From Sharbot Lake to Carleton Place; before that on the branch in from Midland.

Q. That is on two railways? A. Yes.

Q. Did you apply to the Grand Trunk Pacific for employment? A. Yes.

Q. Did you specify a position? A. Yes, I said I would like charge of a party, but was willing to do transit work or any other position.

Q. Meaning with the instruments? A. Yes.

Q. And what was the result? A. They placed my application on file.

Q. Have you got it here? A. Yes. (Produces application, which he hands to Mr. Mowat).

Q. You do not remember getting a letter from Mr. Van Arsdol of Edmonton? A. No.

Q. You applied then to Mr. Stephens, Montreal, and Mr. Kyle, Winnipeg? A. Yes.

Q. Did you state what experience you had? A. Yes, I also sent testimonials from my chiefs.

Q. And Mr. Stephens replies on April 18th of this year:

"Dear Sir,—I am at present unable to offer you a position but have placed your application on file for reference in case of an opening occurring in the near future."

Q. And Mr. Kyle writes you on the 20th April of this year:

"Dear Sir,—I have yours of the 14th inst. making application for position as Assistant Engineer in charge of a party.

"I am sorry to say that at present there is nothing I can offer you, but have placed your name on file and will keep you in mind should a vacancy occur. From your letter I would judge that your actual experience has been very limited."

Q. What did you write to him to allow that inference to be taken? A. I simply stated where I had been working.

Q. This is a copy of your testimonial from Mr. T. W. Nash dated April 15th, 1904:

"I certify that Mr. A. D. McRae was employed on preliminary survey .....of this railway in 1900, and since 1901 has been continuously employed. He was in charge of a party that made two-thirds of the preliminary and location surveys from Sharbot Lake to Carleton Place, drawing plans and in the general surveys of property of this company. Is very industrious, competent and persevering and I recommend him for general work indicated above."

Q. That does not seem to be very limited. It is quite satisfactory, did you send him any other? A. I sent him a recommendation from Dr. Goodwin of this town.

Q. Director of the School of Mining? A. Exactly.

Q. From anybody else? A. I had the endorsement of a couple of other engineers. I did not work with them but was simply recommended by them.

Q. And you have received no other reply than you have given? A. No, sir.

Mr. Mellis Ferguson, being sworn:

By Mr. Mowat: Q. You are a graduate in engineering? A. Yes, sir.

Q. Queen's University? A. Yes, sir.

Q. When? A. This last year.

Q. Have you had any experience in the field? A. Oh yes, I have been out on the Bay of Quinté, the C.P.R. and the Grand Trunk Pacific.

Q. Kindly explain for what period of years? A. For the last three or four years.

Q. You were employed on the Grand Trunk Pacific? A. Yes.

Q. Under whom? A. Mr. Knowlton.

Q. What instrument did you have? A. I was on transit.

Q. What engineer? A. Mr. Taylor.

Q. And when did you relinquish that? A. I left there in December, the latter part of December.

Q. Did you apply again for work? A. Since I got well, I left on account of sickness, I had lumbago, I wrote to Mr. Stephens and got a recommendation from Mr. Knowlton.

Q. And forwarded them to Mr. Stephens? A. No I did not get them direct but Mr. Knowlton sent them direct to Mr. Stephens.

Q. What happened next? A. I went to Montreal partly for the purpose of applying for another position armed with the recommendation of Mr. Knowlton and saw Mr. Stephens.

Q. What did he say? A. He said they would send me out.

Q. When? A. In February of this year.

Q. Did he tell you when? A. No.

Q. He said to return here and he would let you know? A. Yes.

Q. To return to Kingston? A. Yes.

Q. Yes, and did he let you know? A. Did not let me know at all.

Q. And you have been waiting for an answer? A. I wrote to Mr. Taylor, my chief.

Q. When? A. I do not remember it.

Q. About what month? A. I have the letter here. (Hands it to Mr. Mowat).

Q. After applying to Mr. Knowlton you wrote to Mr. Taylor, engineer in charge, is this his answer dated January 30th? A. Yes, sir.

Q. But this was before applying to Mr. Stephens, you say you applied to him in February? A. Yes, I think it was with the intention of going to see Mr. Stephens that I asked for that recommendation.

Q. What did you ask from Mr. Taylor? A. Asked for a recommendation that I could give to Mr. Stephens and he replied:

"We assistant engineers on this division can have communication with the Grand Trunk officers only through Mr. Knowlton."

Q. What I ask is have you ever heard from Mr. Stephens? A. No.

Q. You have been waiting in Kingston ever since, with hope? A. Hoping.

Q. Hoping that you may get an answer? A. Yes.

URQUHART FAIRLIE, being sworn:

By Mr. MOWAT: Q. Are you a graduate in civil engineering in Queen's University? A. I completed my course in civil engineering.

Q. When? A. This year.

Q. Have you had any experience in the field? A. Yes.

Q. On what railway? A. The Marmora Railway.

Q. On more than one occasion? A. No.

Q. What instrument did you handle? A. I went out as rodman to the party and finished up by being transitman.

Q. You were promoted before the location was finished? A. Yes.

Q. What year? A. Last year.

Q. How many miles? A. Five miles. Then I went on the college survey.

Q. What is that, an educational course? A. For the second year men I went under Capt. Bogart as instructor.

Q. He being professor? A. Yes.

Q. Through what country was that? A. From Bannockburn westward.

Q. Where is that, Bannockburn westward, how many miles? A. It was preliminary and locating surveys for the instruction of the under graduates.

Q. What year was that? A. Last year.

Q. Did you apply for work in the locating survey of the Grand Trunk Pacific? A. I did.

Q. To whom? A. To Mr. Stephens and Mr. Knowlton.

Q. Did you get replies? A. Yes.

Q. Have you got them here? A. I have. (Hands over letters).

Q. Mr. Knowlton of North Bay answers your application on March 29th, 1904:

"Your letter of the 25th instant making application for employment with this company has been received and while I would like to be in a position to offer something, will state that owing to the long distance we are obliged to send men on our work the engaging of men for the summer season is practically prohibited, as a man has hardly time to get into the scene of the work before he has to leave to come out."

Q. Did you make that reservation that you should only go in summer? A. No.

Q. That was merely an assumption on his part? A. Yes.

Q. You pointed that out to him with your answer? A. No.

Q. You did not answer, what did you think of that, did you want an expression of opinion on it? A. I thought that if he had a position to offer he would have stated so.

Q. Then you wrote on the 22nd February to Mr. Stephens and he answered you on the 26th February:

"I am unable to offer you a position at present, but have placed your application on file for reference in case it may be possible to utilize your services later."

Q. Have you heard from him since? A. I have not.

Q. You also wrote to Mr. Bell, G.T.R. solicitor, and he answered on the 8th April:

"I have your letter of 7th making application for a position on the Grand Trunk Pacific. I have referred it to Mr. Hobson and if he finds he has any position you will no doubt hear from him."

Q. You stated you were assistant to Mr. Bogert on these surveys, does that position require you to keep track of young men in college and their applications, are you in a position to give information that Mr. Bogart did not? A. I may be.

Q. How many from Queen's applied to the Grand Trunk Pacific for work? A. I can give you their names:

H. B. R. Craig,
M. Ferguson,
S. M. Graham,
K. R. McLellan,
R. L. Squire,
H. Walker,
J. B. Dillabough and myself.

Q. Are these all graduates? A. Yes.

Q. And were any of these employed? None to my knowledge.

Q. Would you have knowledge if they had been employed? A. I would.

Q. When were these applications made? A. This year.

Q. This spring? A. In the spring of 1904.

Q. As far back as that? A. I should say February.

Q. Mr. Ferguson had been employed the year before? A. Yes.

Q. Were there any applications from under graduates who had experience in instrument work? A. Yes.

Q. Can you give me their names? A. Yes:

S. Lazier,
S. G. Smith, is capable of handling instruments,
E. J. Bolger.

Q. Is that the son of the former city engineer here? A. Yes. P. J. Brown would now be capable.

Q. What could he take, rodman? A. Yes, sir. W. A. Johnston, has been out west.

Q. Has worked as transitman with Dominion Land Surveyor? A. Yes.

L. B. Styles, C. W. Baker, has acted as transitman in different parties; G. C. Bateman has been on G.T.R., near Hamilton, last year. I am not sure it is the Grand Trunk; Athol Harris, third year student, has had some experience; A. L. Cumming; J. R. Grant; J. G. McPhail; J. Sears, P. A. Shaver, has so far been employed.

Q. No he is on the Canada Northern, what degree? A. He is in his fourth year.

Q. Do you know that these gentlemen applied to a division engineer or the chief engineer for employment? A. I cannot say which one of them applied.

Q. Do you know of any students of Queen's who applied? A. I do.

Q. Outside of those mentioned in the Faculty of Science? A. Yes.

Q. Do you know those who had a right to apply by reason of having experience? A. I do.

Q. Will you give these names? A. I know only two or three, J. M. Macdonnell, N. W. Wormwith, I think I know of no others at present.

Q. These are two students of Queen's who applied and did not get positions. This is true is it? A. Yes.

Q. Are there any other gentlemen in court who were asked to come here? A. Mr. Osborne, Mr. Seers, Mr. Belcourt.

By Mr. FOSTER: Q. Under graduates, I suppose cannot take a permanent position, would only be for the summer months? A. Yes.

Q. And the others you mentioned as graduates, they have just completed their course? A. No, some of them are graduates of two or three years standing.

Q. What time did you apply? A. In April.

Q. So that you had not completed your course? A. I stated that I was going to finish this year.

Mr. HARRY BELCOURT, being sworn:

By Mr. MOWAT: Q. How far has your career as civil engineer extended? A. It has been rather limited.

Q. I never met you before, I do not know what your position is, your name has been handed in as available for work. Did you make application? A. I applied for leveller.

Q. To whom? A. To Mr. Schreiber.

Q. Do you know him? A. I do not.

Q. How long ago? A. I applied in December, 1903.

Q. Did you get a reply? A. I did.

Q. What was that? A. I have it here.

Q. Have you any other letters? A. I have.

Q. Your application was on the assumption that the Government was to do the work? A. Yes.

Q. Have you attended college? A. Yes.

Q. What college? A. Queen's University.

Q. How many years? A. Three years.

Q. In the engineering course? A. Yes.

Q. All right, thank you.

Mr. HUBERT OSBORNE, being sworn:

By Mr. MOWAT: Q. Mr. Osborne, have you taken up the profession of civil engineering? A. I have been three years at Queen's.

Q. What is your age now? A. 23.

Q. And in the engineering course? A. Yes.

Q. To whom did you write? A. To the Minister of Railways and to Mr. Schreiber.

Q. Not to any official of the Grand Trunk Pacific? A. No, sir.

Q. Did you get any replies from them? A. Not from Mr. Schreiber, but from the Hon. Mr. Emerson I did.

Q. When did you apply? A. The latter part of April?

Q. This year? A. Yes.

Q. Then you do not know whether your application was sent to the officers of the Grand Trunk Pacific? A. No, sir.

Mr. JOHN SEERS, being sworn:

By THE COMMISSIONER: Q. What is your name in full? A. John Seers.

By Mr. MOWAT: Q. Mr. Seers how far have you got in your chosen profession? A. I lack two classes for graduating.

Q. Just two classes from being a graduate of Queen's University? A. In completion of my course.

Q. Have you had any experience in the field? A. Well I was out about four months last year. I was out on construction work on the Bay of Quinté from Tweed to Bannockburn and I was with Capt. Bogart the latter part of the season.

Q. On location? A. On preliminary location.

Q. Did you handle instruments? A. Well I had charge of the level.

Q. You were leveller with Mr. Bogart? A. Yes.

Q. Did you apply for work in connection with these surveys of the Grand Trunk Pacific? A. Yes.

Q. To whom? A. I believe, as far as I can remember I did not come here prepared to give evidence, to Mr. Stephens and Hobson and also the Minister of Railways at present.

Q. And you say you have their replies with you? A. No, sir.

Q. What was the nature of them? A. Both the same, my application placed on file.

Q. And that discouraged you? A. I must say it did.

Q. You have not heard from them since? A. No.

Q. What is your age? A. 24.

Mr. ALEXANDER MCLENNAN, being sworn:

By Mr. MOWAT: Q. Will you tell me what your age is? A. 43.

Q. I am told you are a college graduate in civil engineering, that your experience on different lines of railway engineering has extended from 1879 down to the present time? A. Yes, sir.

Q. I see in the record of your experience you sent in to the Grand Trunk Pacific that "you were rodman in 1880. Section A. C.P.R. From 1880 to 1885 have been transitman and section engineer C.P.R. Pic River to Missinabie on trial line, location and construction under R. R. McLennan; 1885 to 1889 have been transitman and section engineer C.P.R. work, O. & R. Short line, Caughnawaga to Sherbrooke and Detroit extension, located 30 miles C.P.R. short line Farnham to Stukely; was transitman on trial line Gravenhurst to Sudbury with D. A. Stewart, 1889; located 60 miles Newfoundland railway, 1890-1903, with Reid & Middleton, and R. G. Reid in Newfoundland 1890-95, revising government location for construction and running trial lines and location 284 miles East Coast to West Terminal at Pt. Au Pasque, 1895-1903; engineer in charge of bridge construction and engineer on permanent railway. So that you are an engineer of 25 years experience in general engineering? A. Yes.

Q. I see that by letter of the 12th August, 1888, you were "In charge of a party and located a considerable portion of the Atlantic and North-

West Railway Co. under Mr. Hugh D. Lumsden, to his entire satisfaction? A. Yes, sir.

Q. A similar letter from George H. Middleton of Reid & Middleton, dated 24th November, 1891? A. Yes, sir.

Q. And a similar letter from W. D. Reid dated 15th January, 1903? A. Yes, sir.

Q. Now we come to Mr. Knowlton who was your division engineer when you were employed as assistant engineer in charge of a party north of Lake Superior. He said he had no trouble with you as to your engineering ability, but seemed to think that you did not pay due attention to the making of business returns, pay-lists and commercial returns, and I see that on April 5th, 1904, when you wrote to him from Belleville, he says:

"I note what you say in regard to work another summer and it will undoubtedly be easier than the past season, but owing to the difficulty we have had with your clerical work and reports I shall have to decline any further need of your services."

Q. Now how did you come to write to him from Belleville when you had been out in the field and why did you come in from the field to North Bay? A. I came in from the field because I completed the survey that we were on.

Q. Have you got a map of the place?

By THE COMMISSIONER: I do not want the witness to make public any part of the survey.

By Mr. MOWAT: Q. What have you to say Mr. McLennan as to these complaints about your failure to send in the reports with the frequency required by Mr. Knowlton. What kind of a country were you in. What were the means of transportation? A. Mr. Knowlton demanded in several letters reports twice a month when we were 120 miles from the nearest point on the C.P.R.; that was in the winter time.

Q. I see a letter from him on the 19th February, 1904, which you say you received on March 1st, apparently taking three weeks for a letter from you to reach North Bay; that would be the ordinary length of time? A. Three weeks to a month.

Q. He states that he wishes you to send in your accounts and reports more promptly.

Q. Now, hitherto you had not been sending them out so promptly because of the difficulties of transportation? A. Yes, Sir.

Q. Where had Mr. Knowlton been, where had his professional practice been before coming to that country? A. I do not know.

Q. Somewhere in the States? A. Yes.

Q. In more southern climates? A. Yes.

Q. Were you able from your conversation with him and your meeting with him to judge of his capacity for handling the division engineering work in that territory? A. I do not think he is a fit man to be a division engineer.

Q. I see that in June, 1903, he writes to you this letter:

"I am putting in supplies for your future use at a point on the Pishkenogama at about twenty-five (25) miles north of the Niven's Base Line. I will leave two men in charge of this cache until such time as you reach it.

"This letter and other mail will be sent in to you from Missanabie, and upon receipt of same, please return by bearer, full report of your work up to that date: time sheet for June (if not already sent in); and any other information you may have regarding the work; also any suggestions that you may wish to make, that will tend to facilitate the handling of the undertaking, or of supplies.

"Later on I intend to put another cache of supplies on the Opazatika River, at the point where your line crossed, or at any point near there that you may designate that will be most convenient for the work.

"These two caches will contain supplies sufficient to last you for at least ten months, and will give you supplies within 25 miles of any point on your work, and I think you should be able to handle the same in progress with the work, without much difficulty.

... "An invoice will accompany the supplies to each cache, and I shall be glad to have you carefully check this over when you take charge of the same, and let me know if you find them alright.

"Please advise the bearers of this letter where they can find the canvas canoes, left by yours and Mr. Hill's parties on the Missanabie River."

Q. With regard to the location of the cache, was Mr. Knowlton out with you on any part of the line of your work? A. No, in the year I was appointed Mr. Knowlton did not come near the country being explored.

Q. Did not come near your work? A. No.

Q. Did he ever leave the line of the C.P.R.? A. I think not.

Q. Speaking as an engineer of your experience, is that what might be called capable work? A. No, I think a division engineer should go among the parties to see the country they are in. I do not think he is able to report the character of the line without doing it.

Q. Well, he fixes here upon a point where he is going to put a cache; how could he have arrived on that point? A. He would take the place from the map.

Q. You think he could take it from the map? A. Yes.

Q. What was the result of the cache at this particular point about 25 miles north of the Niven's Base Line? A. That cache of supplies was used but the one west, the second one—

Q. The one that is referred to here as the Opazatika River? A. Yes, that was not used.

Q. Why? A. Because the survey party did not reach there.

Q. Well if they had used that would they have likely reached the scene of their operations? A. Well, the supplies in one cache were enough for the party.

Q. Yes, and what was the result of the cache of the goods at the other point? A. They were cached there in September and they were there until June with two men looking after them; that was until another party went down this summer.

Q. As a result of Mr. Knowlton's knowledge of the country he kept the supply at Opazatika River in charge of two men from that September until the following June? A. I think they would have been used in June by a party coming down.

Q. What was the character of the goods? A. About six tons of ordinary survey supplies.

Q. In a period of nine months would the quality of the goods be much affected? A. They could not be very fresh, some supplies might be good.

Q. How far were you from this last cache, I mean what time would it take you to get at this cache? A. When I was called to come out we were about fifty miles from that cache.

Q. You would have to take a trip of 50 miles over what kind of country to make that cache available? A. A bush country, thick woods; it was impossible to make them available for the period of that survey.

Q. How can you account for such a mistake as that being made; had you a conversation with Mr. Knowlton about it? A. Yes, I stated in a letter that that cache had better be held up. I wrote to Mr. Knowlton that

that Opazatika cache might better be held up until we found it, when the supplies could be used. I told him that it could not be used, it was no use to put it in there.

Q. What other engineers were there; was Mr. Hannington there?. A. Yes.

Q. And William McCarthy? A. Yes.

Q. Are these experienced engineers? A. They are both older hands at that work than I am.

Q. And what positions were they in? A. They were acting as assistants to Mr. Knowlton.

Q. Is there any doubts in your mind as to the relative capacities of the assistants and the chief? A. I believe they were both more capable to do the work than Mr. Knowlton.

Q. For what reason? A. They were experienced Canadian engineers at that sort of work and would have supervised the different parties whenever they got out.

Q. They would have visited the field themselves and seen what was being done? A. Yes; and either Mr. McCarthy or Mr. Hannington would have had no difficulty in getting all the Canadian assistance they wanted.

Q. Are you in a position to say as an engineer of 25 years experience that there are sufficient Canadian engineers who were available for this work? A. I have counted them up and I am quite sure they could get sufficient men.

Q. Mr. Stephens says he has appointed eight principal officers at a salary of $4,000 down. One of these is a Canadian and the others are Americans. What opinion have you as to what he said as to exhausting every effort? A. That is simply not true.

Q. Is there any advantage or is there not, all things being equal and two engineers being of equal ability, in having experience in that northern country of Canada and not having it? A. An engineer in charge of a party there should be a good woodsman, I think. They require to learn that by experience. I think it is true that the engineer who is the best woodsman is also the best workman, he will get a line with the best grades and the cheapest work. It is most important to a man in that country to be a good woodman.

Q. I suppose every man is criticised by the other members of a party? A. Oh, yes.

Q. And that there is such a thing as getting good work out of a party by encouragement and example? A. Yes.

Q. You think that an engineer in charge of a party must be a good woodsman accustomed to Canadian conditions? A. Accustomed to hard work.

Q. Have you anything to say as to the effect of climate on men accustomed and not accustomed: have you met men accustomed to southern work only? A. We had one American engineer, the work scared him.

Q. Who was that? A. Mr. Hill; he was not able to stand the work: only stayed two or three months. Since then I think he got a good position, a permanent position on the Grand Trunk.

Q. Was that the man followed by Mr. Boucher. He left while Mr. Boucher was employed and was taken on again? A. Yes.

Q. We have heard that some engineers accustomed to southern climates were unable to leave camp during the day? A. That would be quite likely.

Q. We heard of some who suffered from cold hands and also cold feet, and were quite willing to give up the job? A. Yes.

Q. I see a letter of complaint against you, Mr. McLennan, in connection with your accounts, that you were retaining the pay roll after April 7th.

"You will recollect paying Charles Rochon $6.64, paid by draft in the month of October, receipt for which you gave me in my office a few days ago. There is no combination of time that will pay $6.64 at the rate of $50 per month; the nearest that will come to it is four days, which will bring it $6.45. I have been charged up with 19c. in this connection, this being the difference between the two figures, and I shall be glad if you will send me this amount to straighten my books. Kindly reply by return mail as the pay-rolls are being held up pending the straightening out of this and other matters."

Q. Is there anything more serious against you? A. I do not know.

Q. A fraction of a dollar, amounting to 19c. you think. That would be the extent of the complaint against you? A. Yes.

Q. I trust that you sent that 19c. back, Mr. McLennan.

By Mr. Foster: Did you send back the 19c? A. I wrote to Mr. Knowlton sending him ten two-cent postage stamps.

Q. How long did you work up there? A. From the 19th May, 1903, to last of March, 1904.

Q. And was not there something else in addition to what you have told us about accounts and about delay in reports? A. Well, nothing that was any fault of mine.

Q. You had certain men under you? A. Yes.

Q. About 12 to 14 men; you were unable to manage them satisfactorily? A. I had some trouble with the men, I have explained it in some of these letters. They are all Indians in that locality. Mr. Knowlton arranged to have a cache of mine east of this river. I got to this river with my Indians and the supplies were not there and I had to take the Indians out to the C.P.R. line to find supplies.

Q. How far? A. I suppose 120 or 130 miles, that is after going to the nearest H. B. post, about 60 miles, and got supplies to keep us going. In the meantime my Indians, good men, left me.

Q. You had some men besides Indians? A. I had eight Indians. To replace these Indians I had men Mr. Knowlton picked up at North Bay in two days, at that time of year, all strangers to me. I took these men down country, some of them very good, some of them not. That was in September. We worked on until some time in the early part of December, and all but four of these men wanted to quit, did not want to work any longer. They did quit, and came out, and I was left with five men. Then another party came in.

Q. Then you went out for your supplies, where did you find them? A. Very near the C. P. R. line on the way in.

Q. You got ahead of the supplies? A. Yes, got ahead of the supplies.

Q. You say you only finished certain portions of this work when you came out last March? A. I finished the eastern portion.

Q. But there were other men working beyond you? A. Yes.

Q. You did not have to come all the way out to get further orders? A. But I had to come out. It was not practicable to work any further.

Q. What took place? A. Besides that last, two months before I told Mr. Knowlton I would have to come out and asked him to instruct me, and there were no instructions.

Q. Why did you have to come out? A. For a good many reasons.

Q. Give us some of them? A. The rest of the work would have to be done from the western cache 50 miles away. We would have to go that 50 miles through the woods to reach that, and by the time we got there winter would be practically begun. Our tents would be down. We would have to

wait there until we got other supplies from the line, and there would be no advantage except very hard work.

Q. At any rate you came out without instructions? A. I asked for instructions twice.

Q. You asked for instructions, but came out without them. Were you dismissed? A. No.

Q. What happened? A. When I came out?

Q. Yes. A. I went into the office at North Bay and finished all plans and came down to Belleville. While I was working on these plans one day Mr. Knowlton was looking over at me; I asked him if I would be wanted to take charge of a party again. He said no. I did not ask him more about it. I came down to Belleville and wrote him.

Q. Have you written him since then asking for work? A. Yes, I wrote him from Belleville.

Q. You only wrote him once? A. That is all. Yes, I answered a letter since that. He asked about the balance of the supplies down the line. I answered his letter about that.

By Mr. Mowat: Did Mr. Knowlton complain about your coming out at that time? A. Not at all.

Q. You were asked about some trouble with your men, was it due because there was a failure of grub? A. With the Indians in the first place.

Q. That was the reason because the grub did not come in? A. Yes.

Q. That was the trouble you had with your men? A. Yes.

Q. There were no other special causes? A. None more than the ordinary.

Q. That the work was hard because you were trying to get good work for the company? A. Yes.

Q. These 19c. so much in evidence, they did not go to you, they went to that man Rochon? A. Yes.

Q. He was trying to make you pay for an alleged mistake in Rochon's account? A. Yes.

Adjourned *sine die*.

MONTREAL, 20th July, 1904.
Grand Trunk Railway General Offices,
2 p.m.

The Commission resumes.

Present: His Honour JUDGE WINCHESTER, Commissioner.
" H. M. MOWAT, Esq., K.C., Counsel for Government.
" W. H. BIGGAR, Esq., Counsel for Grand Trunk Pacific Railway.

Mr. H. W. WALKER recalled:

By the COMMISSIONER: You have already been sworn, Mr. Walker. Is Mr. George A. Kyle still in the employ of the Grand Trunk Pacific? A. Not to my knowledge.

Q. When did he cease being in the service? A. My record is that he was replaced by Mr. Kelliher on June the 8th.

Q. On the 8th of June last? A. Yes.

Q. Did Mr. Kelliher take his place at the same salary? A. Mr. Kelliher receives $250 per month, I do not know what Mr. Kyle got.

Q. Has Mr. Kyle been paid for the month of June? A. Yes.

Q. At what rate? A. At the rate of $4,000 a year.

Q. To what time? A. To the end of June.

Q. Have you a receipt for his salary up to the end of June? A. I cannot say. Returns sometimes take some time.

Q. How long? A. It ought to be back now, I will see.

Q. Yes, do so; you might find that out.

Mr. C. M. HAYES recalled:

By Mr. MOWAT: Mr. Hays, Mr. Biggar has been kind enough to send us a copy of the letter which was written to you by Mr. Kendrick, Third Vice President of the Atcheson, Topeka and Santa Fe Railway, dated December 9th, 1902. We will take the copy as the original. A. I am perfectly willing that you should have the original.

THE ATCHISON, TOPEKA & SANTA FE RAILWAY SYSTEM.

Third Vice President's Office.

At Los Angeles, Dec. 9, 1902.

Personal and Confidential.

Dear Mr. Hays:—

Replying to your personal letter of December 2nd. I believe that Graham is a very good man, and that he would satisfactorily fill the position.

We have in our employ a man named J. R. Stephens; Mr. McHenry, Chief Engineer of the Canadian Pacific, can tell you about him, as he worked under McHenry for some years, but I also know him very thoroughly. He is about thirty years of age, a graduate of Stephens Institute at Hoboken, and I consider him a very competent man. He has had a great deal of experience in the west, and served for a time on the Northern Pacific, having charge of some of its difficult mountain work.

Stephens can probably stay with us as long as he wishes to; Mr. Dun, our Chief Engineer, told me that he thought of bringing him to Chicago (he is now in Oklahoma), and put him in the office as Assistant, but as I feel very kindly disposed towards him, I should be glad to assist him in improving his condition. Should you care to address him in connection with the subject referred to, you can do so in care of James Dun, Chief Engineer, Atchison System, 77 Jackson Street, Chicago, Ill.

I give you Mr. Stephen's name because it is quite possible that you may not be able to secure Mr. Graham on account of his connection with the Baltimore & Ohio. No one else occurs to me at this writing.

Yours very truly,
(Sgd). J. W. KENDRICK,
Third Vice President.

Mr. Chas. M. Hays,
2nd V. P. & G. M., G. T. Ry.,
Montreal, Que.

Q. Will you please give us your letter which he refers to here, of December the 2nd or a copy of it? A. Mr. Biggar has it here and will place it in evidence.

(Mr. Biggar produces letter.)

Mr. MOWAT: This letter reads:—

"December 2nd, 1902.

"Dear Mr. Kendrick:—

"You have undoubtedly read in the press plans for the extension to the Pacific coast. Do you know of any one whom you can recommend to me as a good man for probably assistant engineer in connection with that work. I want some one who is honest and trustworthy, with good experience as locating engineer, and somewhat familiar with the character of the country to be traversed, and it has occurred to me to trouble you about the matter because of your long experience on the Northern Pacific and probable acquaintance with engineers having the qualifications referred to. Do you mind saying to me confidentially what you know of Mr. Graham, formerly with the Northern Pacific, I believe, and now with the B. & O. I do not know him

personally at all, but his name has been given to me as one who would meet our requirements. I hope I am not troubling you too much in this matter, but shall be glad to reciprocate in any way opportunity may offer."

Yours truly,

CHAS. M. HAYS.

Mr. J. W. KENDRICK,
Third Vice President A. T. & H. Rwy.,
Chicago, Ill.

A. Judge. I may explain this letter was written at the time I was looking everywhere for a person who was competent to undertake this peculiar work, had experience in work of a similar character under similar conditions, and I had enquired not only of Mr. Kendrick, who was a personal friend of mine, who had been for years chief engineer of the Northern Pacific, therefore knew more about the character of the country. I was enquiring around in every direction to find a good man, and I would only say to you, as I stated before, that it is not a man's education as an engineer that we took in consideration, but what his experience has been, how wide he is equipped in actual, practical experience in dealing with these problems we have to deal with, any questions of this sort concerning the line. We want to build a line with the easiest gradients, least curves, the least expensive of operation, and all these points that tend to make a good road, and one that can be economically operated. Now the correspondence refers to, as mentioned there, a gentleman named Graham, whose name had been brought to my attention. I do not know any more than that Mr. Graham was chief engineer of the Northern Pacific when Mr. Kendrick was there. Graham had been afterwards promoted and advanced to the chief engineership of the Baltimore and Ohio. When I came to ask Graham what he would come for to the Grand Trunk Pacific he said $12,000 a year.

Now that was the position that confronted me wherever I turned at that time. Engineers of any special ability and of recognized ability in all directions were all busy; we could not find them anywhere. I can refer you to the C. P. R. I can refer you to any of the trunk lines in the United States. They were all looking for men; you could not get a man anywhere unless you took a man of subordinate position on another road who gave promise of ability, and offered him an advanced offer, far more than he was getting in his present position to leave that position and come to a new road. When I first talked with Mr. Kendrick about Mr. Stephens, why, he said, we were about to put Mr. Stephens at Chicago as assistant to our chief engineer, Mr. Dun. That was a good position for Mr. Stephens, I recognize that this will be a better position still, enabling him to advance more rapidly, therefore I will relinquish my claim.

Q. Do you remember how long after this 2nd of December you made overtures to Mr. Stephens? A. I think a month or two, I do not know precisely.

Q. Mr. Hobson was called in Toronto, and he says that he recollects some conversation between you and Mr. Lumsden in which you mentioned $4,000 was the salary? A. Not specially; but Mr. Hobson was in the whole consultation, and I think probably he may have mentioned it, and our first idea was to get Mr. Lumsden if possible.

Q. Thinking he would fill all the requirements which you have now detailed to us, and having failed with Mr. Lumsden you wrote to Mr. Kendrick? A. There has been a good deal said, Mr. Mowat, about Mr. Lumsden and that offer of $4,000; if any more would have suited Mr. Lumsded better he never mentioned the question of salary; he did not enter into it at all. He had a better position. If he wanted more than $4,000 he never mentioned it.

Q. You understand fencing, Mr. Hays? A. There has been an attempt to make capital out of the fact that Mr. Lumsden was offered $4,000 only, and that we offered more to Mr. Stephens. If there was any question in Mr. Lumsden's mind about salary he never raised it.

Q. He did not understand that you had another position worth more? A. They are trying to make capital.

Q. There has been no attempt to make political capital, so never mind discussing that, Mr. Hays. The question is whether Mr. Lumsden would have accepted if he had known what the company was prepared to pay? A. Mr. Lumsden never stated anything about salary at all. He said he was better satisfied where he was. I protest against it; you have already stated that.

Q. If so, it is that it is difficult to find out facts. A. You are attempting to make political capital.

Q. It is not a question whether we are or we are not. A. Well you are, and you should not attempt it.

Q. I am quite conversant with the range of my duties. A. (To the Commissioner). I want to point out to you that the question of salary was not mentioned at all.

The COMMISSIONER: Well, you have said that, so please just answer the questions.

By Mr. MOWAT: What I was told was that Mr. Lumsden's idea was that there was nothing of more value than $4,000. If he had any idea that— A. That is totally out of the way. There was no question of salary mentioned at all. I confess that I feel rather indignant at the way this question is brought.

Q. The fact of your being indignant does not make any difference, the question of your indignation does not dissuade me from doing my duty. All we want are facts. A. But in dealing with these facts the matter should be dealt with in a judicial manner.

Q. I am the judge of that, I am the counsel here. That is all.

By the COMMISSIONER: Who is Mr. Graham you refer to, Mr. Hays, in that letter of yours? A. Mr. Graham, I think he is now chief engineer to the B. & O.

Q. What was he at the time you wrote? A. He was chief engineeer of the B. & O. at that time, I had been making enquiry as to men.

Q. Who recommended Mr. Graham, Mr. Hays? A. I do not recollect.

Q. Do you remember anyone who recommended him? A. Mr. Kendrick, you say.

Q. He did not mention Graham; who was it recommended Graham to you? A. I do not recollect that now.

Q. Have you no idea at all? A. I think probably some friend or general manager of some railway.

Q. In this country or in the States? A. More likely in the States on account of my greater acquaintanceship.

Q. Is Mr. Graham an American citizen? A. I suppose he is.

Q. You supposed that at the time? A. He was with the Northern Pacific.

Q. Mr. Kendrick is not an engineer himself? A. Yes, a chief engineer.

Q. I thought he was third vice president or third president, for a long time also. You yourself were never an engineer? A. No, but had a good deal to do with it.

Q. You were never a practising one? A. No.

Q. Do you know Mr. Malcolm H. MacLeod of the Canadian Northern? A. I have had the pleasure of meeting Mr. MacLeod.

Q. You have heard of his reputation? A. I think I have.

Q. The salary you offered Mr. Stephens was $6,500, I understood you to say? A. Yes .

Q. And was increased to $7,500? A. After he came. Mr. Stephens, as shown in the letter of Mr. Kendrick, anticipated promotion to be assistant chief engineer on the Santa Fe under Mr. Dun, and in lieu of getting him for the $6,000, with these prospects in view, I had to pay him a little better than he could get there.

Q. So that he got $7,500 from the date he entered into the employment of the Grand Trunk Pacific? A. Yes.

Q. Mr. Kyle sent in his resignation as division engineer on the Grand Trunk Pacific on or about the 8th June last, do you remember that? A. I do not remember as to the date.

Q. You remember his sending it in? A. Yes.

Q. Did you accept it? A. I wired Mr. Stephens, who had already accepted his resignation, approving of that acceptance.

Q. Do you know whether he has been in the service of the company ever since? A. When a man resigns he is generally out of the service.

Q. Have you heard that he is still in the service? A. No.

Q. You would be surprised to hear that? A. Yes.

Q. He has received remuneration for all the month of June, that would be proper even if he had resigned? A. Even if an officer is dismissed we give him 30 days pay.

Q. It is stated that he is still acting in the service of the company at Winnipeg? A. By whom?

Q. I have received that information, and Mr. Stephens says he is still there? A. I think probably Mr. Stephens—I do not remember my attention being brought to that. I saw Mr. Stephens about making some report. He is still in Winipeg, I did not know that.

Q. With reference to these gentlemen who were reported on, there is some correspondence between you and the Department of Justice and possibly of Labour at Ottawa? A. Yes, any correspondence between us I understand that my subpoena covered any further correspondence. I have it and Mr. Biggar will put it in evidence.

Q. The question is what was the agreement arrived at between you and the Department of Justice with regard to these men? A. There was no agreement arrived at that I understand. There was no understanding come to that I remember.

Q. I understood that they were to be discharged immediately upon your company being notified that they should be deported. A. There was no understanding on my part to that effect. Have you got the correspondence, Mr. Biggar?

Q. Do you know as a matter of fact whether or not they are still in the service of the company, Mr. Hays? A. Personally I do not know one of these men and whether they are in our employ or not I cannot say. I understood that quite a number of them, hearing that they were liable to deportation, had left, had resigned from the company's service. I cannot tell you which ones they were.

Q. Who could let me know whether there were in the country men who should have left? A. I think Mr. Stephens would be able to tell you who had left.

Q. Do you know what means were taken? A. No, sir, I do not.

Q. Did you take any means at all to notify them? A. No, sir, I did not.

Q. You received this letter from the Minister of Labour dated the 20th June? A. All of these letters which Mr. Biggar has put in are from the files of my office.

Q. And also one from Mr. Fitzpatrick, Minister of Justice, dated June 21st, 1904, and subsequent one of June 24th from the Minister of Labour? A. Yes.

Q. What was your action upon receiving these communications—there are subsequent ones of the 27th June and 7th July, all these seem to have been received in your office? A. As to the letters of Mr. Fitzpatrick under date June 21st, they are covered by my answer:

Montreal, Que., June 23rd, 1904.

Dear Mr. Fitzpatrick:

Your two favors of June 21st, enclosing copies of letters from the Minister of Labour, relative to the deportation of Herman Mark Goodman, Sherman Hurd Mason, Cassius C. Van Arsdol, Edward R. McNeill, and Edward McD. Mellen, duly received, and in reply will say none of the parties named are now in the employ of the Grand Trunk Pacific Railway Company.

Yours truly,

Chas. M. Hays,
2nd Vice Prest. & Genl. Mgr.

Q. I thought you stated just a moment ago that you were not personally aware they were here? A. I could have given you these names. As to these parties I have been so advised.

Q. On the advice of Mr. Stephens? A. Yes.

Q. Is that the only answer sent to all these letters? A. That is the only one.

Q. So that you have not replied to these letters of the 24th and 27th of June and 7th of July? A. I consider these simply notices for my information.

Q. What action was taken upon receiving these letters? A. No action at all.

Q. Not by yourself nor by Mr. Stephens? A. No. Well I do not know as to Mr. Stephens, I can only speak for myself.

Q. There is no understanding that these gentlemen were to be discharged from your service upon receipt of these communications? A. None that I know of.

Q. None at all? A. No.

Q. Why was it you wrote on the 23rd June to the Minister of Justice stating that none of these parties were in the employ of the Grand Trunk Pacific? A. That was in pursuance of this arrangement made by Mr. Morse.

Q. As referred to in the letter of the 20th of June from the Minister of Labour. He writes to you:

"My Dear Sir,—A few days ago Mr. Vice-President Morse and Mr. Wainwright called upon me in reference to the enquiry now being held by Judge Winchester in respect of the employment of aliens on the Grand Trunk Pacific, and Mr. Morse asked that in case of any further employees being found liable to deportation, an opportunity should be first given the company of arranging for the parties in question being deported by the company instead of being first subject to arrest.

"I now beg to enclose copy of the last report of the Judge wherein he finds that Cassius C. Van Arsdol, Edward R. McNeill and Edward McD. Mellen are liable to deportation, and copy of this report has been transmitted to the Department of Justice that action be taken in accordance with the act.

"When once, as in the present instance, the offence involving deportation is established, the case passes over to the Department of Justice to apply the remedy provided by the act. In ordinary course, that Department

will doubtless issue the warrant for deportation, unless you should make some other arrangement satisfactory to the Department of Justice which would render the issue of a warrant unnecessary. In case you desire to so arrange the matter, it would be advisable to communicate with the Department without further delay.

"Yours faithfully, "W. MULOCK, Minister of Labour."

A. Of course we had no authority to deport.

Q. I quite agree with you there, that is certainly right. It is in consequence of that that your letter of the 23rd June was sent to the Minister of Justice? A. Yes, sir.

Q. And this carried out the request of Mr. Morse as to giving the company an opportunity? A. As to these.

Q. But not as to the subsequent ones? A. No.

Q. Is it your intention to carry it out? A. I did not suppose it would be necessary. I consider that the Government simply gave me notice that the Government was going to do this.

Q. And that is the reason you did not act subsequently? A. Yes.

Q. So far as your personal knowledge is concerned all these subsequent engineers and assistants are still in the service of the Grand Trunk Pacific? A. I do not know of anything to the contrary, unless they have resigned.

Q. At any rate you have not asked them to leave? A. I felt I had no authority to ask them to leave.

Q. And you have not asked them to so so? A. No.

By Mr. BIGGAR: Sir William Mulock says there that he forwarded a report to the Minister of Justice? I notice in the letter from the Minister of Labour dated the 20th June:

"In ordinary course, that Department will doubtless issue the warrant for deportation unless you should make some other arrangement satisfactory to the Department of Justice which would render the issue of a warrant unnecessary." In case you desire to so arrange the matter, it would be advisable to communicate with the Department without delay."

A. That is the 20th June.

Q. Advising that the Attorney-General has been advised to issue a warrant according to the act? A. Subsequent to this letter. On the 20th of June.

Q. In regard to the meeting Mr. Hobson was present at that meeting? A. Yes, sir, which meeting do you refer to?

Q. At the Windsor Hotel? A. Mr. Hobson arranged that interview.

Q. Mr. Hobson stated at Toronto that Mr. Lumsden then explained to you that it would be impossible for him to accept the position on account of other engagements? A. Yes.

Q. Mr. Lumsden gave us to understand at that time that he was in anticipation of another advancement on the C.P.R.; that made it a profitable matter for him to stay with the C.P.R.? A. The question of salary was not discussed at all, the amount to be allowed for salary was not in question.

Q. Was the question of salary raised before or after Mr. Lumsden stated he could not accept? A. It was not raised at all. It was mentioned but was not raised as a fiscal matter.

Mr. W. H. WALKER, recalled:

By THE COMMISSIONER: Q. Have you that voucher? A. Yes. He was paid until the 30th of June in Winnipeg.

Q. That is Mr. Kyle's signature as division engineer? A. That is what he signs.

Q. He, of course, was paid to that time? A. Yes, on the 4th July. $333.33.

Mr. J. R. STEPHENS, recalled:

By THE COMMISSIONER: Q. Where is Mr. Kyle now? A. As far as I know he is in Winnipeg.

Q. With his family? A. Yes.

Q. Has he been there for the last month? A. I think he probably has. I don't know. I have not heard from him directly.

Q. Is he in the service of the Grand Trunk Pacific? A. No, with the exception that I would like him to make a report and asked him verbally to do so.

Q. What date? A. About a month ago, do you remember when you were there?

Q. I was there twice. You know the last time when you came there? A. When you came back. That would be about the 24th of June.

Q. Yes, I arrived in North Bay on the 25th? A. Yes.

Q. He had been in Winnipeg from the 8th of June up to that time? A. I don't know, I think he went down to St. Paul and came back. I did not see him until—

Q. Until when? A. That date I speak about, the 23rd of June.

Q. What was he at then? A. Nothing.

Q. Was he not acting for the Grand Trunk Pacific? A. No, sir.

Q. Then at that time what did you arrange with him? A. I just merely asked him to make us a report.

Q. Make you a report on what? A. Just to summarize what he had done.

Q. You asked him verbally or in writing? A. Verbally.

Q. How long was that going to take? A. It should not have taken very long.

Q. How long? A. A couple of weeks I suppose.

Q. Two weeks and he is still in Winnipeg? A. I think so.

Q. Have you heard from him? A. No, sir, and I have not got the report yet.

Q. On the 4th of July last you were examined in the Court House in Montreal and you stated you did not know where he was? A. I was not there to know.

Q. You did not say you were there. I asked you if you knew where he was and you said no? A. I did not know.

Q. Have you received any news from him since then? A. Not directly.

Q. How then do you know now, you have just heard a report that he was there? A. I don't remember.

Q. Have you heard from him? A. Directly, no, Sir.

Q. Nor indirectly? A. Not that I remember but I think he is in Winnipeg.

Q. Did you not have the same information on the 4th of July? A. Yes.

Q. Then you told me he was not working for the Grand Trunk Pacific? A. No, he is not.

Q. Well you say now that he is making a report, what do you mean? A. I mean in that sense that when he has quit his labours every engineer is expected to make a report at the end of his obligation with the company. It is a question of honour and I do not think that any engineer would leave without making such report whether he got paid for it or not.

Q. Now Mr. Stephens you have told me two different stories and I want to know which is correct. Will you tell me what he is actually doing for the Grand Trunk Pacific? A. He is doing nothing if he declines to make a report.

Q. Did you ask him to make a report? A. Yes.

Q. On the 22nd of June? A. Oh yes on some such date.

Q. And have you heard from him since? A. No.

Q. And you have heard that he is still in Winnipeg? A. I have heard that he is still in Winnipeg but I do not know who has told me. I stated he was there for the purpose of making his report?

Q. He was making his report while in St. Paul as well as in Winnipeg? A. Yes.

Q. Are you paying him for this work? A. He is not on the pay-roll.

Q. Any understanding with him as to being paid? A. I have no understanding whatever, I think we ought to pay him, however.

Q. You think he ought? A. He thinks he ought.

Q. Well you are chief? A. I think he ought to be paid.

Q. Do you intend to pay him? A. That is a matter for Mr. Hays.

Q. Mr. Hays says he leaves everything to you and I want to know? A. I have not made arrangements but believe that he ought to be paid.

Q. How long is that going to be carried on? A. I will have to refer you to Mr. Hays.

Q. How is Mr. Kyle's position going to be carried on as to that report? A. Well I think he ought to have his report—

Q. How long is it going to be in his hands? A. I don't know, Sir.

Q. How long are you willing it should remain? A. I think it ought to be finished very quickly.

Q. How quickly? A. A week or so.

Q. But he is a discharged man and you think he ought to be paid for doing this, to have him take a month or so? A. Well it is customary.

Q. A month or two? A. A week or two.

Q. How many weeks now? A. Several weeks.

Q. Plenty of time if he were an able engineer? A. I do not know.

Q. Now can you give me information as to the time of the termination of this report and when it is coming down, if you cannot I may have to go to Winnipeg to find out? A. I think you had better go.

Q. But I want it from you first? A. I would like Your Honour to find out what he has done and how he is.

Q. What were your instructions to him? A. I merely told him to make a report of what he had accomplished since he was there to submit to Mr. Hays.

Q. Did you inform Mr. Hays? A. I did not.

Q. Mr. Hays does not know? A. I informed Mr. Hays of that.

Q. You asked Mr. Kyle to make a report of what he had accomplished there? A. Yes.

Q. Did you tell him how long? A. No.

Q. How long you gave him? A. No.

Q. Did you mention any date? A. No.

Q. It may take six months? A. No.

Q. May take four or five? A. I expect it every day.

Q. Did you never report that fact to Mr. Hays? A. No.

Q. Why? A. I did not think it was necessary.

Q. To retain a man at this work which you believe he should be paid for, without reporting that fact to the general manager? A. I do not think that is necessary.

Q. And you have not heard anything directly nor indirectly since you were there about the 22nd June? A. No, Sir.

Q. No communication? A. No communication whatever with him. He has no executive position there whatever.

Q. Well you think he ought to be paid for having to report? A. Yes I do, of what he has already done should be paid.

Q. When did Mr. Van Arsdol leave the service? A. I am not sure, about the time I left Edmonton.

Q. About the 20th or 22nd of June? A. Yes.

Q. Had he left before? A. No.

Q. Did he report he was leaving? A. Yes he told me.

Q. Do you know where that report is? A. I don't know.

Q. Was it in writing? A. No cause for any, on account of action taken by Government simply. Simply wanted to go.

Q. Wanted to go on leave of absence? A. Did not put it in that way.

Q. And did you tell him he could go home? For how long? A. I did not mention any time.

Q. And is he away now on leave of absence? A. No, Sir. Not so far as I know.

Q. Did you discharge him? A. I merely told him he could go.

Q. He wanted to go home for how long? A. He did not say.

Q. Did he say he wanted to leave the service of the Grand Trunk Pacific? A. Yes.

Q. Has he been paid for the month of June? A. I don't know.

By Mr. MELLEN: He was paid for the month of June, he was paid on the first of the month.

Q. Where? A. The paymaster or the treasurer have the pay-rolls we do not keep them.

Q. Who makes the pay list? A. The general auditor.

Q. Would you ask Mr. Walker to get this?

Q. (To Mr. Stephens), How many have left? A. I do not know; Van-Arsdol has gone, paid for June; McNeill has gone, paid for June; Colladay still here; Taylor, still here; Gailor, still there; Bacon, is there; Mellen has gone, he has resigned; Anderson;—

Q. Do you know anything about Talbot? A. No.

Q. Goodman? A. He has gone.

Q. Mason? A. He has gone.

Q. Baxter, do you know anything about him? A. I think they are all there.

Q. Colladay you say is still in your employ? A. Yes.

Q. Were you not notified to discharge him? A. No, at least I have not seen any letter of notification.

Q. Did you notify any of them that they were relieved from duty? A. I notified Van Arsdol and Mellen.

Q. I thought you had not notified Van Arsdol, I thought you said Van Arsdol wanted to leave? A. I talked to them about the thing, they asked to retire.

Q. To what? A. To retire.

Q. No action had been taken against them? A. I do not know of any.

Q. Then why did you suggest their retiring when no action was taken? A. I left it to themselves and they felt they wanted to go.

Q. For how long? A. Indefinitely.

Q. When were they to return? A. I made no arrangement whatever.

Q. That was left in abeyance?

By Mr. BIGGAR: That is not a fair question.

The COMMISSIONER: You know what kind of witness I have. I want to know his evidence.

The WITNESS: I had not any arrangement.

Q. You say they went away indefinitely what do you mean? A. I cannot help if they come again.

Q. Will you give them another engagement? A. I cannot say.

Q. Are you willing to do it at the present moment? A. I cannot say.

Q. You will not say? A. I do not anticipate anything of the kind.

Q. Never mind what your anticipation is I want to know definitely? A. A man cannot tell what he is going to do to-morrow.

Q. I can as a rule, I know that if I was going— A. I do not anticipate they are coming back and I do not think they are.

Q. No notification has been sent to Taylor and Bacon? A. No, Sir.

Q. Nor any of the others except these three men at Edmonton? A. Yes and these three men are gone.

Q. Have you looked for these letters. Do you know of the parties there? A. I do not recognize but a few names Your Honour.

Q. Do you recognize any of them as being American citizens? A. Yes.

Q. Which ones? A. I would not like to recognize Gailor as an American citizen.

Q. You need not worry about Mr. Gailor he was never in St. Catharines in his life. Mr. Armstrong in Toronto stated that he employed Mr. Gailor over in New York City and that he was an American, Mr. Armstrong belongs to St. Catharines. It will be difficult for Mr. Knowlton to explain his position.

By Mr. BIGGAR: Mr. Armstrong swore that Mr. Knowlton did not know Mr. Gailor.

The COMMISSIONER: He did not say that, Mr. Biggar, he said he did not know whether he did or not, but Mr. Knowlton knew Mr. Gailor when he came to Canada, knowing all about him.

Mr. STEPHENS: I have simply marked a number of men who are still in the country to my knowledge and who are American citizens.

Q. Well now who are they? A. The chances are that besides these men there may be others who may be American citizens.

Q. Do you know them? A. Not personally.

Q. Whom do you know personally? A. Personally I think I know of three of these men in the country, in our employ.

Q. And are American citizens? A. Yes.

Q. Who are they? A. Colladay, Taylor and Bacon.

Q. That is as far as you will go? A. Yes.

Q. Will you mark those who have left the country? A. Van Arsdol, McNeill, Goodman and Mason.

Q. Four have left the country? A. Yes.

Q. Mr. Mellen has not left the country? A. Mr. Mellen has not left the country.

Q. Where is he? A. I do not know.

To Mr. MELLEN: Where is your brother? A. His family is in Edmonton.

Q. Have you not heard from him, where is he? A. Not on the Grand Trunk Pacific.

Q. But you know whether he is in Canada? A. No Sir, I do not.

Q. Have you heard from him? A. No, Sir, I know his family are in Edmonton.

Q. Do you know what other line he is on? A. Not on any other line. He resigned his position on the Grand Trunk Pacific but he is trying to make a living for his family the best way he can in Canada.

To Mr. STEPHENS: These four have left? A. Yes.

Mr. Walker produces vouchers from Mr. Bacon dated 4th July, for $300; Mr. Van Arsdol, signed by power of attorney, Bank of Montreal, dated 7th July; Mr. McNeill dated 9th July, Bank of Montreal, Edmonton.

Q. Have you got Mr. Mellen's receipt, Mr. Walker, or Mr. Mason's? A. These are not cheque men, they are pay-roll men and their names appear on the pay-roll. I do not know whether the pay-rolls have been returned. I could find out.

Q. No, that will do.

By Mr. BIGGAR: to Mr. STEPHENS: Mr. Kyle resigned from the service of the Grand Trunk Pacific early in June? A. Yes.

Q. You say he has not been in its employ since? A. Yes.

Q. Did you make arrangements with him to furnish a report, is that separate and distinct? A. It is just a professional understanding.

Q. Not some fixed-up project? A. No.

Q. Can he take as long as he likes to get ready? Will you pay him for the time he works? A. No I would rather have him paid for the work he does.

Q. For the value of the report and the time he spent on it? A. Yes.

Q. A satisfactory arrangement? A. Yes that is the custom of old professional men quitting a piece of work, to turn in results.

Q. He was paid to the end of June? A. Mr. Hays said he would have paid him anyway.

Q. He has not been re-employed by you since his resignation about the beginning of June? A. No.

Q. Nor so far as you know by anybody else on the Grand Trunk Pacific? A. No.

Q. Did you know that Van Arsdol had violated the law? A. Yes, certainly.

Q. Did Van Arsdol know that? A. Yes.

Q. He was the first to be reported on? A. I think that Mr. Mellen will certify to that, that Mr. Van Arsdol and Mr. McNeill were perfectly aware that they had violated the law.

Q. Is there any arrangement with Mr. Van Arsdol that he shall be taken back into the Grand Trunk Pacific? A. None whatever.

Q. Is there any foundation for the rumours that Mr. Van Arsdol and the other gentlemen have left the employ of the Grand Trunk Pacific temporarily and that you intend to take them back as soon as this investigation is concluded? A. None whatever. What I was going to say is this that I cannot help if they come back, but if they come back they cannot come back in our employ.

Q. Mr. Hannington said they were only out on leave of absence? A. He is not entitled to speak.

Q. I stated that Mr. Hannington said that in North Bay. Would Mr. Hannington know anything what arrangements with Mr. Van Arsdol were made at Edmonton? A. I do not know. I did not consult with him in any way on this subject.

Q. Did he, Hannington, then know Van Arsdol or the other men about Edmonton? A. I do not think he ever saw them. (To the Commissioner) Did he state that?

The COMMISSIONER: Only as a report, he stated that this was the rumour out there.

Mr. STEPHENS: So far as I am concerned it is not true.

Adjourned *sine die*.

Toronto, Wednesday, August 3rd, 1904.

Investigation resumed before His Honour Judge Winchester in his Chambers, Toronto.

Mr. MOWAT representing the Government.

Mr. BIGGAR absent.

HUGH D. LUMSDEN, sworn, examined by:

Mr. MOWAT: Q. You are a civil engineer of some long years' practice? A. Yes.

Q. How long? A. About 35 years.

Q. And now your position is what, with the Canadian Pacific Railway? A. Well, I have no position except in connection with the executive practice.

Q. Consulting engineer, you might call yourself? A. Yes, to a certain extent a consulting engineer.

Q. With headquarters at Montreal? A. Yes. I would hardly call it consulting engineer, for I have got no title.

Q. But an engineer, though? A. Well, I am not an engineer specially. My work is all done in connection with the President or Vice-President.

Q. Mr. Hobson, chief engineer of the Grand Trunk, told us in the course of this commission that he was consulted by Mr. Hays of that railway in regard to the appointment of an assistant to himself, and that he recommended you for the position, and that he asked you to meet Mr. Hays on a certain occasion. Have you a recollection of that occasion? A. Yes.

Q. How long ago was that? A. On the 23rd of May, 1902.

Q. What means have you for recollecting so definitely as that? A. My diary.

Q. Have you got your diary here? A. Yes.

Q. Will you look up the entry of May 23rd? A. Yes, I have got it here.

Q. Read it? A. Do you want it all, or merely what referred to that?

Q. What refers to that? A. (Reads) "Friday, 23rd, in Montreal. Down to G.T.R. general offices and saw Hobson; also met him and Hays at Windsor at six. He offered me $4,000 a year as assistant to Hobson. I declined. Left at 10 for Toronto."

Q. What was your understanding of that position worth $4,000 a year, or the nature of its duties? A. I understood it, maintenance under Mr. Hobson.

Q. Assistant to Mr. Hobson on maintenance of the Grand Trunk A. Yes.

Q. Nothing to do with the location of the Grand Trunk Pacific? A. The Grand Trunk Pacific at that time, so far as I know, had never been mentioned. I never heard of it being contemplated.

Q. You were not inclined at that time to swap the position on the C.P.R. for that on the Grand Trunk on maintenance? A. No.

Q. And therefore declined it? A. Yes.

Q. The position of assistant to Mr. Hobson, which would rather call for engineer in chief of the new Grand Trunk Pacific, was afterwards accepted by J. R. Stephens at $7,500; had that offer been made to you, would you have considered it worth considering, or tempting? A. If it had been made with the understanding that it was construction of Grand Trunk Pacific, I dare say I would have entertained it.

Q. But for the mere maintenance your mind was not inclined favorably at that time? A. No.

Q. You have had a large experience as locating and constructing engineer in Canada? A. Yes.

Q. In the course of this Enquiry the question has come up as to whether it is advisable, or some would say essential, to have experience of transportation, climatic changes, physical condition of the country in northern Canada as distinguished from more southern countries; what is your opinion as to that? A. Oh, I think there is a great difference between a country where you have a lot of snow in it to contend with, and where you have none.

Q. A divisional engineer in handling commissariat, and having had parties engaged—packers and axmen and that sort of thing—having to be familiar with means of transportation, canoes, dog-trains, and so on, some have said that it is an advantage for one who has not had that experience, while others say that that can be acquired; what is your opinion? A. I think it is an advantage to know all the different means of transportation in the country in which you have got to work.

Q. Two engineers starting out, one with that knowledge and one without it, what in your opinion is the relative advantage to the company employing him? A. I think there would be an advantage in knowing what transportation you had to furnish through the country you are going to work in.

Q. It has been said that some division engineers have never been out on their line, say, north of Lake Superior and west of the Nepigon, and that relying on maps, some of them Hudson Bay maps, that serious errors have been made in sending out supplies, so that they did not meet the parties they are supposed to reach; do you think that would be a likely thing to occur. A. Oh, it is possible.

Q. With a person who has had no experience with the country? A. Quite possible with Hudson Bay maps, it might happen if they had not experience; they are not supposed to be accurate; at least they are often astray I know.

Q. You have found that in your experience? A. Yes.

Q. Take two engineers of equal ability to start with, one having only an experience in southern climate—Oklahoma, Virginia, and so on, even with mountain work—and the other an engineer accustomed to Canadian locating surveys in the north country, which would have the preference? A. I don't know what surveys in any southern country is like; I have never been down there; their mountainous country may be something similar to ours, I can't say as to that.

Q. Mr. Stephens, the Assistant Chief Engineer, was examined in Montreal on the 31st of May last, and was asked to explain why, out of eight principal staff officers in this Grand Trunk Pacific, seven were Americans brought over here for the purpose, and he said he only appointed Americans when all means of obtaining Canadians had been exhausted; that staff is composed of three division engineers at $4,000, harbour engineer at $3,600, three district engineers at $3,000; have you any opinion to offer as to that statement that he had exhausted all means? A. I don't know what he did. I can't say what he may have done.

Q. Do you think that it would be a true statement that it is impossible to get competent locating engineers in Canada? A. I believe it is quite possible to get them.

Q. You know such? A. Oh, I know some, but it depends greatly on the time of year you start out to get these men.

Q. This was in the early spring of 1903? A. If you start out just in the middle of summer, or summer is pretty well over, it is pretty hard to get men. Any men that are any good have generally got some occupation for the summer marked out.

Q. In March of a year? A. In March there should be no difficulty, I should think.

Q. Such men as Cecil B. Smith, Reuben W. Leonard, John Woodman, men like those were mentioned; are you familiar with their achievements? A. I am. I know all of them I think.

Q. Do you think that those men would be competent? A. I do.

Q. To have taken the position of division engineer? A. Yes.

Q. Even of assistant chief engineer? A. Yes, some of them, at any rate.

Q. What is your opinion, from your experience, of these salaries attached to these positions—division engineer, $4,000; district engineer—which, according to them, is a man who visits the line and is under assistant to the division engineer—at $3,000? A. Well, I don't know what their scheme of division was.

Q. Their division is about 800 miles; I am asking you for this reason—would you consider that positions with those salaries would likely be considered prizes in your profession in Canada at the present time? A. I think those are very good salaries.

Q. Suppose as an engineer you had been asked to obtain a staff such as I speak of, eight principal men on the staff, and you had not had before that personal acquaintance with the engineers of Canada, what means would you have taken to find out, if you had had a desire to appoint Canadians? A. Well, I could have found out from some Canadian engineer whom I did know, or I might have found out through the Canadian Society.

Q. Are you a member of the American Society of Civil Engineers? A. I am not.

Q. Of the English? A. I am of the English.

Q. And also of the Canadian Society of Civil Engineers? A. Yes.

Q. Mr. Stephens, the assistant chief engineer, is not a member of the American Society of Civil Engineers, neither are the three division engineers whom he appointed; would you consider that any disadvantage to a man? A. Well I could hardly say as to that; I don't know.

Q. Is it considered in your profession an advantage or disadvantage to belong to these national societies of engineers? A. I think it is an advantage, as a rule, for any one in the country to belong to the society. If I were working in the States I should certainly try to be a member of the society.

Q. For the purpose of consultation, and keeping abreast of what is going on in an engineering way? A. Yes.

The COMMISSIONER: Q. Could you give me briefly the works on which you have been engaged for the last thirty years? A. I could start here from Toronto. The first work I did was the location of the Toronto & Nipissing.

Q. Under Mr. Bailey? A. No, under Mr. Wragge, from Eldon to Coboconk. I laid out a portion of the Toronto, Grey & Bruce from Dundalk to Berkeley. I laid out the Northern, under Mr. Moberly, from Longford to Gravenhurst; made preliminary surveys to Bracebridge. I laid out all the Credit Valley road from Toronto to Ingersoll, and from Streetsville to Cheltenham; and then afterwards from Church's Falls, as it was then called, to Fergus and Elora. I made a lot of surveys for the Northern, which were never built. I also changed the tail end of the Meaford Branch some two miles in to where it until lately ran into Meaford. I had charge, first of all for the contractors and then for the Government for four years, of surveys for the Georgian Bay Branch of the Canadian Pacific, from the mouth of French River to the Height of Land. I laid out and constructed the line from Toronto to Perth, and afterwards from Smith's Falls to Vaudreuil, C. P. R. I partly looked after the location, and looked after the construc-

tion, of a line from St. Johns, Quebec, to Farnham; from Berkeley Junction to Lennoxville; and from Holden in Maine to Agawamkeag on the Maine Short Line. I was supervising engineer of the construction of the lines from Regina to Prince Albert and Calgary to Edmonton, Calgary to McLeod. I was chief engineer and made all the preliminary surveys and most of the location surveys of the Crow's Nest Pass. I left the Crow's Nest Pass after six or eight months construction had been gone on with, and came down and located the line from Toronto to Sudbury, or from Pine Bridge to Sudbury. I laid out the short line from Rideau to Ottawa, and built a portion of it, and the remaining portion was built a year or two afterwards.

Q. So that the greater portion of your experience has been in locating? A. Locating and constructing.

Q. During your experience you have come in contact, I suppose, with all classes of engineers, United States and Canadian? A. Yes.

Q. Do you find any great difference between their qualifications? A. I have had very few Americans.

Q. You could always get along without them? A. I have had one or two, but that is all I remember of at the present moment.

Q. In all those works that you have been engaged in? A. Yes.

Q. From your knowledge of the profession, and of the Grand Trunk Pacific line, do you believe, if you had obtained the charge of the location, you could have located that line by Canadian help alone? A. I believe so.

Q. And as satisfactorily as it can be located with United States help? A. I think so.

Q. That is your experience from your past works? A. Yes.

Q. Who invited you to meet on the 23rd May, 1902, at Windsor Hotel? A. Mr. Hobson.

Q. There you met Mr. Hays with Mr. Hobson? A. Yes.

Q. What was the conversation that took place between you at that time? A. Well, I can't remember all the conversation, but I remember that in talking to Mr. Hobson before I met Mr. Hays at all I told Mr. Hobson I did not think there was any use in my seeing Mr. Hays, because I did not feel inclined to switch over to the Grand Trunk.

Q. What were you doing at that time? A. I was with the Canadian Pacific.

Q. As you are to-day, in the same position? A. Yes, practically in the same position, only I had only been in that position with the Canadian Pacific for a few months. All my work practically has been with the Canadian Pacific since building the Ontario & Quebec, but I have never been permanently employed by the Canadian Pacific. I would go on and build one line, and when it was done I would discharge myself, and possibly go home to Scotland for a month or two, and come back and practice for myself, not always for them.

Q. Mr. Hobson said that Mr .Hays explained what was contemplated, that was, the extension of the Grand Trunk to the Pacific Coast, and gave you to understand that he wanted to get an engineer to take charge of the work, and asked you if you would accept it; do you remember that? A. No mention made of Grand Trunk Pacific or any line to the coast that I remember of.

Q. Your recollection is that there was no such? A. No such thing mentioned; in fact, I never heard of it until some few weeks after this offer was made to me, that the Grand Trunk contemplated building a transcontinental line.

Q. Do you know how the salary came to be mentioned? A. My recollection is that Mr. Hays asked me what I was getting, and I think I told him. It was less than $4,000, and he offered me $4,000, but I told him that it was the work more that did not suit me than the salary. I don't know that I told

him that, but I led him no doubt to believe that, that I did not care for maintenance. In fact, I told Mr. Hobson before I saw Mr. Hays, that.

Q. Were you in a position at that time to have undertaken this great work of locating the Grand Trunk Pacific line had a proper salary been offered you? A. Oh, yes, the Canadian Pacific would have relieved me of my position with them. I always had an understanding with them, and have still.

Q. That you could be relieved of that? A. Yes.

Q. And that work would have had its inducements to you, I suppose, much greater than the work in which you were interested at that time? A. Yes.

Q. Such a large undertaking as that would no doubt have been considered by you very favorably? A. Yes.

Q. Why was the $4,000 offered if you told them at that time, as Mr. Hobson thinks you did, that you would not undertake a change at all? A. They did offer me a salary. Mr. Hays said that he would give me $4,000, that I was to think over it, and if I changed my mind in two or three weeks to let them know.

Q. But you are quite sure that the position that Mr. Stephens now occupies was never offered to you? A. I don't know what position Mr. Stephens occupies.

Q. He is chief engineer of this Grand Trunk Pacific? A. I never was offered anything in connection with the construction of the transcontinental road.

Q. Or the location of it? A. Or the location of it.

Q You are definite upon that? A. Yes.

The COMMISSIONER: I think that ends the taking of evidence in this matter, unless Sir Sandford Fleming may give evidence. He has given a report, which will be used if he is not examined. I think his report will very likely be taken instead of his examination. As soon as the evidence is transcribed I will have the report ready.

Investigation closed at 11.30 a.m.

Toronto, July 11th, 1904.

Sir Sandford Fleming, K.C.M.G.,
&c., &c., &c.,
Ottawa, Ont.

Sir,—I have the honour to acknowledge the receipt of your favor of the 1st instant written at Halifax, for which please accept my thanks. I learned this morning that you had been in Weston over Sunday and had passed home through Toronto early this morning. I regretted missing you, as I was very desirous of having you examined under my Commission respecting the employment of aliens by the Grand Trunk Pacific Railway. I was surprised to learn of your visit here, as I understood you had left for England, but am told that you do not intend to leave until the latter end of this week. It will, therefore, be impossible for me to examine you publicly, as my time has been fully arranged for the remainder of this week. However, instead of an oral examination I would respectfully ask you to answer by letter the following questions as fully as you can, keeping in mind that my investigation is of a thorough nature in the public interest, and the questions and answers will appear in my report to the Government.

1st—Kindly state your experience in railroad location and construction in Canada.

2nd—Were any Canadian or British or United States engineers employed in connection with such works?

3rd—Were such Canadian Engineers equal in ability to the United States engineers, and fully as capable in the performance of their duties?

4th—Are there Canadian engineers of sufficient number and qualifications to build the Grand Trunk Pacific Railway?

5th—The salaries paid by the Grand Trunk Pacific are as follows:—Assistant Chief Engineer, $7,500 per annum; Division Engineers, $4,000 per annum each; Harbour Engineer, $3,600 per annum; District Engineers, $3,000 per annum each; Office Engineer, $2,400; Engineers in charge of parties, $150 to $175 per month and expenses; transitmen, $100 per month each and expenses; levellers, topographers and draughtsmen, $75 per month and expenses.

In view of these salaries are there sufficient Canadians available for building the Grand Trunk Pacific Railway?

6th—Are Canadians more desirable than others for this work for any reason, such as possessing better acquaintance with our country, methods, etc.? Are they more likely to respond to Canadian opinion, favoring preference being given to employment of Canadians, to purchasing Canadian supplies, etc., etc.?

7th—Do United States engineers possess any and if so what qualifications superior to the qualifications of Canadian engineers?

8th—Kindly name Canadian engineers capable of filling the following positions:

Assistant Chief Engineer (one) $7,500;
Division Engineers (three) $4,000 each;
Harbour Engineer (one) $3,600;
District Engineers (three) $3,000 each;
Office engineer (one) $2,400;
Engineers in charge of parties.

9th—In addition to answering these questions would you kindly in a general way express your advice and give your views of the whole subject of the employment of the classes of engineers for this work, not only from an engineering, but also from an economic and national standpoint.

An early and full reply will greatly obilge,

Your obedient servant,

JOHN WINCHESTER,
Commissioner.

Ottawa, July 15th, 1904.

His Honour
Judge Winchester,
Commissioner, etc.,

Sir,—Agreeably to the request contained in your letter of July 11th I have the honour to furnish answers to the questions which you ask me:

Answer to Question No. 1.

In 1852 I was appointed as assistant engineer on the Ontario, Simcoe and Huron Railway. In that year I made an instrumental examination of the line from Toronto to Barrie, and explored to Collingwood and Penetanguishene. Subsequently I received the appointment of Chief Engineer of that Railway and held the position until 1863.

In 1863 Her Majesty's Home Government conjointly with the Governments of the Provinces of Canada, Nova Scotia and New Brunswick selected

me as the sole officer to organize and direct the surveys of the Intercolonial Railway in the place of a commission of three engineers, as previously arranged by these several governments.

In 1867 on the union of the provinces I was appointed Engineer in Chief by the Federal Government to design and direct the construction of the Intercolonial Railway. Some time after this I was charged by the Government of Newfoundland to make the survey of a railway system extending through that colony.

In 1871 the Canadian Government appointed me Engineer in Chief to conduct exploratory surveys for the railway across the newly acquired territory from the Ottawa to the Coast of British Columbia. I was subsequently charged with the location and construction of the Canadian Pacific Railway as a Government work. From 1871 to 1876 I filled the position of Engineer in Chief of the Intercolonial, and the Canadian Pacific Railways. I remained in charge of the latter work until July, 1880, at which date construction of the railway was in progress at different points within a range of about two thousand miles, and about six hundred miles were nearing completion.

Answers to Questions 2-5.

All the engineers under me on the Intercolonial, the Newfoundland and the Canadian Pacific Railway explorations, location surveys, or construction, were Canadians. Some were born in the United Kingdom, but all were British subjects and all were residents in Canada or in some portion of British North America when they were engaged. Such engineers were quite equal in ability and generally speaking were fully as capable in the performance of their duties as any engineers from the United States whom I have known. No difficulty was experienced in securing Canadian engineering talent forty years ago for the Intercolonial Railway and since then for the Canadian Pacific Railway. A large number of men have gained good experience on these and other lines. The Military College at Kingston and the Canadian Universities have long been training young men for engineering work and many of them have for years been employed on the survey and construction of railways and other work, and are now quite ready to fill similar positions. I am perfectly satisfied that we have to-day in Canada an ample number of skilled men to carry on and complete the new national railway. As to the rates of salaries mentioned in the questions, they are considerably higher (nearly double in some instances) than the salaries which were paid in my time to the best men of their class on the Intercolonial and Canadian Pacific Railway. I feel confident that such rates of pay should attract an excellent staff of engineers without looking for a field for them.

Answers to Questions 6-9.

The work performed by the Canadian engineers on the several undertakings to which I have referred, bears enduring testimony to their attainments. If we turn for a moment to the work of these Canadians between the years 1871 and 1880, in connection with the Canadian Pacific Railway, we have the very best evidence of the value of their qualifications. Moreover, if we follow the enquiry we are afforded the means of comparing their work with the work accomplished in the same field by engineers from the United States.

At the beginning of the surveying operations in 1871 there was very little known respecting the country from the River Ottawa to the Pacific, comprising fifty or sixty degrees of longitude. At that period it was a prevailing belief that the construction of a continuous railway through it from ocean

to ocean, without crossing over to the United States, was impracticable; indeed it was so declared in emphatic terms by the highest known scientific authority of the day. The labours of the Canadian Engineering expeditions, however, set at rest all such views and cleared away all pessimistic beliefs. Through their labours the vast territory ceased to be a *terra incognita*, the surveyors with their instruments of precision pierced the formidable barriers imposed by nature and by such means solved every problem of practicability.

At the close of the period named, the Canadian Pacific Railway was under active construction at both ends and in the middle. An admirable location for it was found through the Rocky Mountain zone with gradients quite as good from end to end as on the railways in a comparatively level country like Ontario. . All was accomplished by Canadians without seeking for the smallest assistance from alien talent.

We now reach a date when engineers from the United States were called in and who hereafter controlled the location of a portion of the first transcontinental railway. Fortunately they could make no change in the location of those portions of the line in process or construction by the Government, east of Winnipeg and west of Kamloops; but changes were sought for and made by them with a free hand between Winnipeg and Kamloops. Under the new regime the excellent location of the Canadian Engineers was set aside and on this section a greatly inferior location adopted. Thus it was that the Canadian Pacific Railway has been lowered in its engineering features, especially through the mountains. Thus it was that blemishes of a grave and costly kind have been bequeathed to all future generations, for the blemishes referred to are of a character which time cannot lessen or remove; and thus it is that the daily cost of operating the line for all time has been increased. For these regrettable defects the Canadian engineers are in no way responsible; but to all who know the facts they bring out in striking contrast the results of the labours of the two sets of engineers.

Turning to the Intercolonial Railway from Nova Scotia to Quebec, it is universally recognized by all capable of judging that the engineering character of that undertaking is of a high order, and it is due to my old staff of Canadian Engineers that I should give them full credit for their work. With a full knowledge of the facts I have no hesitation in saying that there is not on the American Continent a more carefully located and constructed line of railway.

I need not multiply examples I give two which have come directly under my personal knowledge in support of the view I have long held and still hold. I am firm in the convictions that the United States Railway Engineers have no qualifications superior to the qualifications of Canadian Engineers, and that the Canadian Engineers have special qualifications and methods for doing effective work under Canadian conditions which are not possessed in the same degree by alien engineers whose training and experience have been under different conditions.

While I know well that our own people are quite capable of constructing our own railways, I have not the slightest dislike for United States Engineers. For more than thirty years I have been a member of the American Society of Civil Engineers and have had the advantage and satisfaction of making the acquaintance, among my fellow members, of men of the highest type whom I greatly esteem and respect. Canada and the United States are very near to each other and they have many ties. We are on friendly relations with our neighbours, and give cordial welcome and employment in Canada to citizens of that Country or indeed skilled aliens from any land. We are the gainers eventually if they can teach us anything we do not know, or if they can do anything better than ourselves. All are placed much on the

same footing as our own people. If aliens cannot do better work there is no justification for them receiving better pay and a preference to Canadians.

In these few words I have had reference to ordinary cases. The questions I am endeavoring to answer have reference to no ordinary case. Canada is embarking in a great national enterprise involving not simply an enormous expenditure, but an interesting and vitally important national problem, —a problem on which to a very great extent hangs the destiny of our country. To solve the problem as it should be solved, will require able upright engineers in full sympathy with our national aims and aspirations.

Why do we want such men?—what need for men of high principles, probity and patriotism?—men who are imbued with the spirit of true Canadians? The answer will be found in the enclosed paper containing my views on the Canadian Trans-continental Railway submitted in October last to the Quebec Board of Trade. I ask you to regard the views therein expressed as part of this letter.

In that paper I allude to the new national railway and point out that its chief object is to connect the Canadian prairie, wheat fields with Canadian sea ports by a great modern highway; a highway so perfect in its location and construction that it will amply fulfill the purpose for which it is designed. You will notice that I attach very great, and I am sure no thoughtful well-wishers of Canada will say that I attach undue importance to the labours of the engineers on the proper location of the national line of transport. I regard the engineers as having much in their power for good or evil. Their labours may be crowned with success, or if set about in perfunctory way, the great national object may be defeated. Obviously the appointment of engineers is not a matter of indifference, as they may practically "make or mar" the designs of the Government and Parliament.

In conclusion allow me to say that I most willingly reply to your interrogations. I am always ready when asked to give my best advice and services, when the public interests demand them. I trust that I have made it plain, in the matter of the proposed undertaking, that there is great risk in placing it in the hands of men whose characters are unknown, that there is especial danger in employing alien engineers, who for aught we know may come under the influence of those who would profit most by the non-success of the Canadian line—

I have said enough to indicate that I would regard it as a national calamity, if the establishment of the national transcontinental railway in its vital parts, fell under the complete control of men who are not Canadians in spirit, men who have no proper appreciation of the national importance of the great undertaking,—or who would prove unfaithful to Canadian interests.

I have the honour to be, Sir,

Your obedient servant,

Sandford Fleming.

Extracts from Views of Sir Sandford Fleming contained in Pamphlet entitled "The Canadian Transcontinental Railway" referred to above.

The new and magnificent proposal on the part of the Canadian Government to establish a second trans-continental railway opens up the alluring prospect of consolidating the Dominion, by establishing a great national highway removed from the frontier. This feature of the scheme invests the question with special interest to every intelligent and patriotic Canadian.

It will further be recognized to be of overwhelming consequence that the national railway be established, so as to bring the illimitable grain fields of the interior of the Dominion nearer the British market than by any other

route, and so that the cost of transportation be reduced to a minimum. It was once accepted as a truth that transportation is cheaper by water than by rail. This axiomatic and generally accepted statement requires qualification under certain circumstances now-a-days. Within the last quarter of a century, transportation has been completely revolutionized by the extraordinary development of the railway system. Such benefactors of the human race as Bessemer, Siemens, and others, have wonderfully changed the conditions, and steel rails have become an important factor in cheap transportation.

Take for example the Erie Canal; the transportaton of grain by that route reached its maximum in 1880. For twenty years, it steadily decreased until 1900,when the amount it carried was only one-fifth what it was in 1880. During the same period, the New York Central and Erie Railways increased their tonnage in this class of freight no less than six times.

This result, indicating a remarkable change, is given on no less an authority than the President of the American Society of Civil Engineers, who made it public in his annual address delivered on June 9th of the present year. It certainly gives strength to the opinion, which I share, that there is a possibility of establishing a modern high-class railway direct from the wheat fields of the great North-west to Canadian tide water, which will, all the year round, outstrip any other means of communication.

With these facts before them, together with the reasons elsewhere expressed, it seems to me that the public and their representatives will have no difficulty in reaching the conclusion, that the section, extending from Quebec to the Saskatchewan, is by far the most important portion of the projected trans-continental railway, that it shoould be the first undertaken and as speedily as possible constructed .

On other occasions, I have pointed out that there is a choice of gateways for railways to enter the prairie region from the east. There is one to the south, and another to the north of Lake Winnipeg. The grain grown in the southern half of the prairie region, tributary to the city of Winnipeg, will find its easiest outlet by the southern gateway. It will continue, as now, to seek its way to market by the Lake Superior route, and by such channels to Montreal as are already open, or by other channels, such as the Trent Valley navigation, hereafter to be opened. It will be found, however, that the products of the much larger northern half of the fertile plains may reach market more easily by the northern gateway; that the grain and cattle of the rich Saskatchewan and the vast regions beyond,—the bread and beef for Great Britain, may reach their destination most cheaply by a railway following the shortest route to Quebec. The northern route would, in no way, be affected by the closing of navigation on the lakes; it would be entirely free from the abnormal haste incident thereto, during the short period after harvest when it is possible to despatch the year's crop to market. Wheat would be transmitted by the northern route with the utmost regularity to Quebec, there to be stored in readiness for the spring fleet, or if advantageous to do so, at any time during the winter, it may be forwarded to the open ports of the Maritime Provinces for ocean shipment.

Having regard to every consideration, it seems to me obvious that whatever view may now be held, the day is not distant when it will universally be recognized that the true location for this section of the new national railway lying east of the prairie region, is by the northern route. I know of no undertaking which promises to be of more general advantage than this particular section. On the one hand, as a modern means of communication from the Saskatchewan country, running direct to Quebec, it would bring the heart of the granary of the Empire into connection with the tidal waters of the Atlantic, and in touch with the British fleet. On the other hand it is difficult

to conceive any single public work which would so much tend to consolidate Canada, or in a higher degree benefit and advance the Dominion as a whole.

THE QUESTION OF GRADIENTS.

In forming a new railway policy there is one consideration which should not be overlooked. It is, in view of the great national objects to be accomplished, a consideration of vital importance. Every farmer knows how much easier a horse can draw a load on a level road than up-hill. All practical men know that the cost of railway transportation is dependent mainly on whether the line is moderately level or has a succession of heavy gradients. Directness of routes is important, but infinitely less important than to have a line free from every obstacle to cheap transportation. Too much stress cannot be laid on this. In no part of the world is attention to this matter more imperatively demanded by the geographical features and other conditions which govern us than in this instance. Lake Winnipeg is 700 feet above the St. Lawrence at Quebec. An ideal railway, to serve great national purposes, would be a line as nearly as possible, one continuous descending plane from the banks of that lake to tide-water. In the nature of things, such a line is doubtless unattainable, but our object should be to secure the nearest approach to it. We should, at least, avoid heavy gradients, ascending in the direction of heavy traffic—that is, from west to east, in order that the products of the soil, on which the future of the Dominion so much depends, may be carried to a market at the least cost."

WHAT WE SHOULD EXPECT.

"A railway from either end of Lake Winnipeg to Quebec would be about one-third greater in length than from Chicago to New York. Grain is carried in large quantities by railways on the latter route for 8½ and 9½ cents per bushel. I ask, why should not wheat be carried at proportionate rates to Quebec from the fertile belt of the Saskatchewan, provided a railway be established with gradients not less favorable than those on the Canada Southern and New York Central?"

"Legislators should distinctly grasp the idea that what the circumstances demand is not a railway located in a haphazard way, as many of our Canadian railways are, but a line free from all objectionable engineering features. It should at least be not less perfect in this respect than the line I have mentioned between Chicago and New York. On the Government and Parliament rests the responsibility of establishing the nearest approach to an ideal national railway. It may at first be a one-tracked railway. It will soon become a double-tracked line, and eventually more than two tracks will be demanded by the requirements of traffic. For a long distance west of Quebec these tracks may be laid side by side, but before reaching the threshold of the prairie they should bifurcate and distinct lines be established to the two gateways to the Farther West.

"It would be short-sighted policy not to recognize from the first that two main outlets are absolutely and imperatively required, in order that the farmers of the prairies, north as well as south, may at all seasons have the advantage of the cheapest transportation for their products. The prosperity of the widely extended fertile regions west of Lake Winnipeg will largely depend on the means of communication of the character I have indicated. It will, indeed, have no small bearing on the future of the Dominion as a granary of the Empire.

"I have mentioned some points which seem to demand at this moment special attention in considering the proposed second railway from ocean to ocean, and more particularly that portion of the trans-continental line to be

employed in meeting the needs of the settlers who require the advantages which railway service should bring them."

The question of selecting a more northern railway entrance to the prairie region seems to me well worth considering. Its effect would be to provide against a perennial congestion of products in transit, at one place. It would most effectively determine the export of Canadian products by Canadian ports. It would give breadth to our country, and strength to its vertabrae, Surely then it is wise policy in the establishment of a new national railway, to tap directly the centre of the wheat district not already exploited by railways, and to make the new line up to the highest standard. In my judgment, any other standard would defeat the purposes of the Government. The cost of transportation by rail is governed by the gradients and other conditions explained in Parliament by the member from North Norfolk. Every railway man thoroughly understands that in the transportation problem, the length of a road is not of so much importance as the gradients. Every foot added to the grade per mile increases by a percentage the expense of haulage. With the necessary conditions obtained, the transportation of wheat to the sea-board by rail in competition with water (in part) is in this instance within the range of practicability. If it be practicable to carry wheat by rail from Chicago to New York for seven or eight cents a bushel, it must be possible, under like conditions to transport it from our prairies to Quebec at proportionate rates. Of course some allowance would be made for differences in climate and fuel.

You have asked me to speak unreservedly and I have acceded to your request. I again express the great satisfaction I have in knowing that the policy of the Government is to establish a great national railway and to open up for settlement and human industry the untilled and unoccupied habitable lands of the Dominion. I have the utmost faith in the wisdom of the policy. I have faith in an all-rail means of conveying the products of the farm to the sea-board. It is the true and only satisfactory solution of the great problem, in the latitude of Canada.

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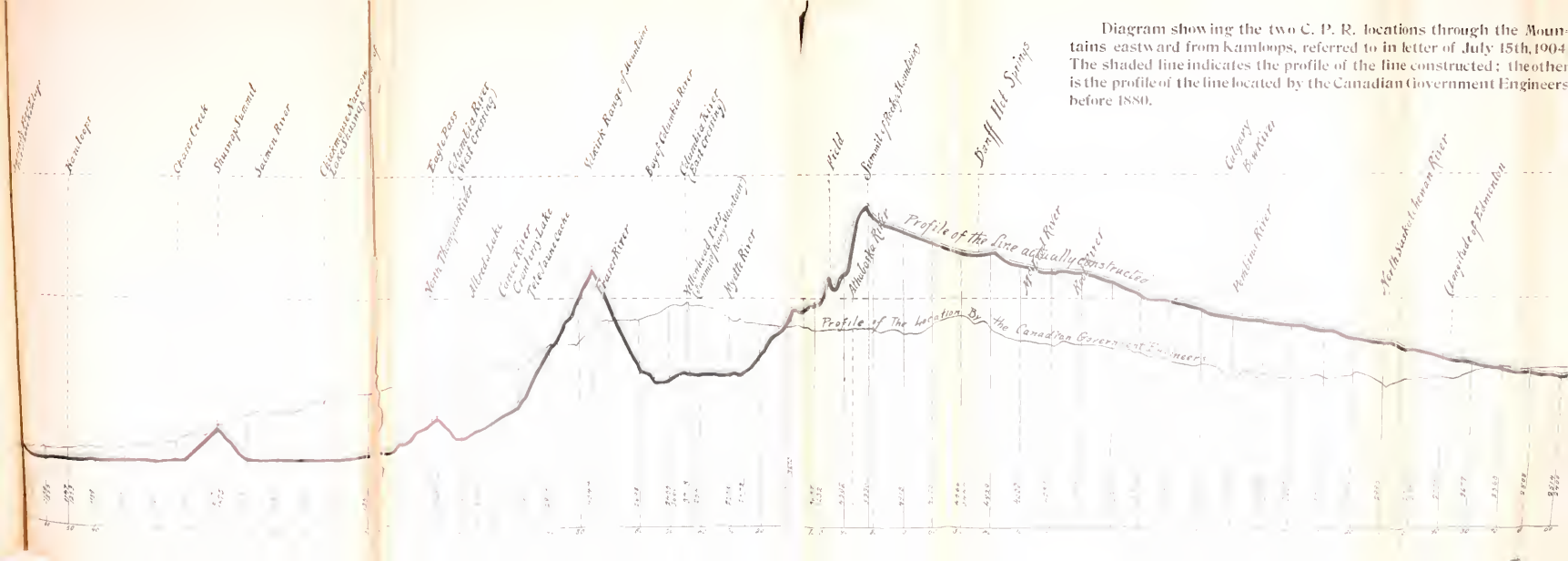

THE ROYAL COMMISSION

APPOINTED TO INQUIRE INTO THE

IMMIGRATION OF ITALIAN LABOURERS TO MONTREAL AND THE ALLEGED FRAUDULENT PRACTICES OF EMPLOYMENT AGENCIES

REPORT OF COMMISSIONER

AND

EVIDENCE

PRINTED BY ORDER OF PARLIAMENT

Issued by the Department of Labour, Canada

OTTAWA
PRINTED BY S. E. DAWSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1905

[No. 36*b*—1905.]

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ORDER IN COUNCIL RE APPOINTMENT OF COMMISSIONER

Privy Council,
Canada.

EXTRACT *from a Report of the Committee of the Honourable the Privy Council, approved by the Governor General on June 20, 1904.*

On a report dated June 16, 1904, from the Minister of Labour, submitting that by an Order in Council passed on May 23, 1904, it was referred to His Honour Judge Winchester, senior judge of the County Court of the county of York as commissioner under chapter 114, Revised Statutes of Canada, to inquire into certain complaints respecting the alleged employment of aliens in connection with the proposed National Transcontinental Railway, and that such inquiry is now in progress; that complaints have been made that a large number of Italian labourers have recently been brought to the city of Montreal; that it has been represented that many of these persons were induced to come to this country through representations made by persons in Canada that there was great need of labour in the Dominion in connection with various public works and enterprises, and that certain agencies and organizations are at the present time in existence in the city of Montreal for the purpose of further promoting such immigration; that many of the said persons on reaching Montreal failed to find employment as represented, and that in consequence much distress has resulted among those who have been so induced to come to Canada, and serious dissatisfaction has arisen among Canadian workingmen in the said city and elsewhere in the Dominion; that it is expedient that an inquiry be made to ascertain the circumstances which induced the said Italian labourers to come to Montreal, and the persons engaged, directly or indirectly, in promoting their immigration, and the means and methods adopted in bringing about such immigration.

The Minister recommends that the said Judge Winchester make such further inquiry in connection with the present commission, and that the said Order in Council be amended by adding after the words 'the nature of the appointment applied for and the result of such application,' the words, 'also that an inquiry be had as to the circumstances which have induced Italian labourers to come to the city of Montreal from other countries during the present year, the persons engaged directly or indirectly in promoting their immigration and the means and methods adopted in bringing about such immigration.'

The Committee submit the same for approval.

(Signed), JOHN J. McGEE,
Clerk of the Privy Council.

The Honourable
The Minister of Labour.

COMMISSION

(Sgd.) Robert Sedgewick,
Deputy Governor General.
[L. S.]

CANADA.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To all whom these presents shall come, or whom the same may in anywise concern—
Greeting:

Whereas in and by an Order of Our Governor General in Council bearing date the twentieth day of June, in the year of Our Lord one thousand nine hundred and four, provision has been made for an investigation by our Commissioner therein and hereinafter named with respect to certain matters therein mentioned as upon reference to the said Order in Council, a copy of which is hereto annexed, will more fully at large appear, such order being an amendment of the Order of our Governor General in Council, cited in our certain letters patent, bearing date the twenty-third day of May, one thousand nine hundred and four, authorizing and empowering our said Commissioner to investigate certain matters therein referred to.

Now Know Ye that by and with the advice of Our Privy Council for Canada, we do by these presents nominate, constitute and appoint His Honour John Winchester, Judge of the County Court of the County of York, in the Province of Ontario, to be our Commissioner to conduct such inquiry.

To have, hold, exercise and enjoy the said office, place and trust unto the said John Winchester, together with rights, powers, privileges and emoluments unto the said office, place and trust of right and by law appertaining during pleasure.

And We do hereby under the authority of the Revised Statute respecting inquiries concerning public matters, confer upon our said Commissioner the power of summoning before him witnesses and of requiring them to give evidence on oath orally or in writing, or on solemn affirmation if they are persons entitled to affirm in civil matters, and to produce such documents and things as our said Commissioner shall deem requisite to the full investigation of the matters into which he is hereby appointed to examine.

And We do hereby require and direct our said Commissioner to report to our Minister of Labour of Canada the results of his investigation, together with the evidence taken before him and any opinion he may see fit to express thereon.

In Testimony whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.—Witness The Honourable Robert Sedgewick, Deputy of Our Right Trusty and Right Well-Beloved Cousin and Councillor The Right Honourable Sir Gilbert John Elliot, Earl of Minto and Viscount Melgund of Melgund, County of Forfar, in the Peerage of the United Kingdom; Baron Minto of Minto, County of Roxburgh, in the Peerage of Great Britain; Bar-

onet of Nova Scotia; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George; etc., etc., Governor General of Canada.

At our Government House, in our City of Ottawa, this thirtieth day of June, in the year of Our Lord, one thousand nine hundred and four, and in the fourth year of our reign.

By Command,

(Sgd.) JOSEPH POPE,
Under Secretary of State.

(Sgd.) A. POWER,
Acting Deputy of the
Minister of Justice, Canada.

LETTER TRANSMITTING REPORT OF COMMISSIONER

TORONTO, March 24, 1905.

The Honourable
Sir WILLIAM MULOCK, K.C.M.G., M.P.,
Minister of Labour, Ottawa.

SIR,—I have the honour to transmit to you the result of my investigation as Special Commissioner appointed to inquire as to the immigration of Italian labourers to the City of Montreal in the year 1904, together with the evidence taken before me and documents produced.

I have the honour to be,
Sir,
Your obedient servant,

(Sgd.) JNO. WINCHESTER,
Commissioner.

REPORT OF COMMISSIONER

TORONTO, March 24, 1905.

To the Honourable
SIR WILLIAM MULOCK, K.C.M.G., M.P.,
Minister of Labour,
Ottawa.

SIR,—I have the honour to report that pursuant to the Royal Commission issued to me, bearing date June 30, 1904, authorizing me to inquire as to the circumstances which induced Italian labourers to come to the City of Montreal from other countries during the year 1904, the persons engaged, directly or indirectly, in promoting their immigration, and the methods adopted in bringing about such immigration, I prosecuted such inquiry in the City of Montreal on the 30th June, 1st, 18th, 19th, 20th, 21st, 22nd, 23rd, 25th and 26th days of July, 1904.

During the first five days of such inquiry I inspected the correspondence in the offices of Messrs. Alberto Dini and Antonio Cordasco, as well as that in the office of George E. Burns, officer in charge of the special service department of the Canadian Pacific Railway Company. Having obtained translations of the correspondence found in the possession of Mr. Dini and Mr. Cordasco, it being in Italian, I appointed the 21st July, 1904, to proceed with the examination of witnesses at the Court House in Montreal, and on that date I began the examination and continued same until the close of the inquiry on July 26, during which time I examined 64 witnesses.

The Circumstances Inducing Italian Immigration.

The evidence shows that for some years past a considerable number of Italians have been employed in connection with the construction of railways and other public works in Canada; that during the year 1903 the Canadian Pacific Railway alone employed 3,144. Of these, 1,200 were in Montreal and the remainder came from the United States. Mr. Burns in his examination stated that since the summer of 1901 he engaged Italian labourers for the Canadian Pacific Railway, almost exclusively through Mr. Cordasco. Previous to that year he had employed other agents, namely, Mr. Dini, the two Schenkers, and possibly one or two others, in obtaining Italian labourers for the company, but that in the year 1901 there was a strike on the Canadian Pacific Railway, and he made special arrangements with Mr. Cordasco to obtain Italian labourers for the railway. Cordasco in turn employed agents in the United States to assist him in getting the required number.

With reference to the number of labourers required for the year 1904, the evidence given by Mr. Burns was of a contradictory character. Referring to the obtaining of Italian labourers he gave the following evidence :—

'Q. Did he (Cordasco) visit the United States with you last year, last September? —A. He did, Your Honour.

'Q. What for ?—A. He went down for the purpose of getting some agencies for steamship companies.

'Q. Was that for the purpose of getting Italians from Italy ?—A. I do not know about that; the way it came about was this : he had a regular office and was doing a large business, but he had no steamship agencies, and of course when these Italians come back from work most of them have a good deal of money which they want to send over to their relatives and friends, some for their wives and children, and they buy these steamship prepaid tickets. Cordasco was desirous of getting a line of these tickets from the different steamship agents, and he came to me about the matter, and I told him he could easily get agencies if he made the proper representations to the agents in New York.

'Q You recommended him?—A. I took some steps to get these agencies for him.

'Q. Did you appoint him sole agent for the company—A. I never appointed him sole agent; I have always reserved the right to cancel any agreement I had with him; there was no definite period.

'Q. You have seen his advertisement from time to time?—A. I have.

'Q. In which he states that he is sole agent?—A. Yes, I think that is the translation, that he is the only agent for the Canadian Pacific Railway.

'Q. Besides being an immigration agent he is interested in a newspaper called *Corriere del Canada* ?—A. I believe he is the owner.

'Q. You advertise in that, do you, Mr. Burns?—A. There is an advertisement there.

'Q. Is it with your authority, you authorized it ?—A. Yes.

'Q. Your method of getting workmen was to call upon Cordasco for a certain number when you needed them ?—A. We are entirely dependent upon orders from the divisions which come through the superintendents, and we have no means of stating exactly when men are required, and formerly the superintendents would send in orders, and they do it yet. These orders are generally by telegram. Mr. Skinner is telephoned, and if he is busy Mr. Cordasco is called upon to arrange the matter. A copy of the telegram sent in by the superintendent is sufficient notice for him to go ahead.

'Q. Then at the end of the year you would estimate the number you would require for the following season ?—A. As far as Italians are concerned.

'Q. Did you do that last year ?—A. Yes.

'Q. And how many did you estimate last fall for this year's work ?—A. Your Honour, a great deal depends upon certain conditions as to whether one can make a proper estimate as to what labour is going to be required in the following year. Last year the market was all down and money was tight, and every one thought there was going to be no work going on this summer; all contractors and others were on uneasy street and could not get any idea, it was impossible for my departmnet at the time to say how many men would be required, and it looked as if we would have to utilize the men in Canada first before taking up this Italian question. I may say that sometimes we have been obliged to go to the United States to bring Italians here to send to the North-west, and last year I do not suppose we took more than 1,200 out of Montreal.

'Q. How many men did you estimate for this season's work last fall ?—A. I do not think I made any estimate one way or another.

'Q. What means do you take to ascertain the requirements of the service ?—A. I send out to many contractors and men accustomed to employ labour and make inquiries. In addition to that I ask all the general superintendents on the line what their experience was before, and what they would require for going on. In regard to the year before I asked them their experience as to when men quit and requested them to state exactly how many men stayed with the company and did not jump their contracts. I thought by this means to form some idea as to the requirements for 1904, and as I stated before I was not able to foresee.

'Q. How many men, in round figures, did you estimate being required for 1904?—A. I have forgotten; I do not remember what such number was."

'Q. When we adjourned last evening we were inquiring into the question of the estimated number of labourers you would require for 1904?—A. Yes, your Honour.

'Q. Well, now, you told me that you had written some superintendents for information so as to enable you to estimate the number?—A. Yes, your Honour.

'Q. What was the result of your efforts to estimate that number?—A. The effort was fruitless. On looking over the matter I found some superintendents did not give correct information, some delayed answering so long that as a matter of fact the spring was so far advanced, and we saw there was going to be a large number of labourers in America, and we dropped the whole matter; there was no estimate.

'Q. You stated last evening you thought there would not have been so many required for 1904 as had been used in 1903?—A. That statement was based on inquiries I had made and the result of this communication was that I thought there would be a stringency in the money market and consequently probably few works of any importance going on throughout the country.

'Q. Was that your opinion at that time?—A. It was, your Honour.

'Q. Now, you said you had about eight or nine thousand on the list in 1903, of which about 3,100 were Italians?—A. Yes.

'Q. How many did you think you would require for 1904? The Italian part of that number?—A. I had no idea whatever.

'Q. What means do you take to provide them?—A. That was generally all right, it does not require particular action.

'Q. It required some information from your agent, who employed them?—A. We kept pretty well posted as to labour immigration in New York and in Boston.

Q. But you relied upon Mr. Cordasco to supply you with all the Italians you wanted?—A. Yes.

'Q. If you relied upon him I suppose it was necessary to give him some information as to the number you required?—A. Well, I have never given him any definite information.

'Q. Did you give him any information as to the number you would require in 1904?—A. None.

'Q. Never spoke about it?—A. I may have discussed the matter.

'Q. Have you discussed the matter with Mr. Cordasco as to the likely number you would require in 1904?—A. It was possible.

'Q. Do you know how many you suggested to him?—A. I do not remember suggesting any number.

Q. Do you remember saying to any one that the Grand Trunk Pacific would require a great number?—A. No, your Honour, I may have inquired if the Grand Trunk Pacific would require them.

'Q. But you never mentioned that to anybody?—A. We may have discussed that matter.

'Q. With Cordasco?—A. Yes, it was discovered that the Grand Trunk Pacific was not going to require any Italians.

'Q. When did you discover that?—A. I think late in the spring.

'Q. This year?—A. Yes.

'Q. Look at that letter, was that letter written by you?—A. Yes.

'Q. And I suppose the statement there is an estimate?—A. That is in December.

'Q. I am talking about December?—A. Yes, Your Honour.

'Q. That was your opinion at that time?—A. I was thinking about the spring.

'Q. I was referring to fall not the spring, Mr. Burns. Now, your letter reads as follows :—

"December 10, 1903.

"E. P. Brady, Esq.,
"Asst. General Superintendent,
"Winnipeg, Man.

"Dear Sir,—Referring to the attached, my object in asking for this information is to make adequate provision early in 1904 for the labour requisitions during the season of that year.

"This year we had an unprecedented demand for labour from all sources over this company's lines, and we have shipped out in the neighbourhood of 10,000 men, skilled and unskilled, so you see that it is very important for us to know what proportion of those sent out on the lines worked out their contracts, so that some information may be obtained as to the reasons for so many men jumping their work with a view of remedying that state of affairs during the coming season. It is also necessary to find out what the local supply of labour is on each division.

"As you are possibly aware, there is every indication of a large demand for labour in this country in 1904. I am informed that possibly the Grand Trunk Pacific may want a great many thousand men, and as the supply of labour is limited in Canada, steps may possibly have to be taken on the part of our company to import labour from abroad, or make some definite arrangement in regard to the supply available in Canada.

"I am sorry to trouble you for this information, knowing you are so very busy, but I would like very much to be in a position to make my report about the first week in January, 1904.

"Would you kindly strain a point to get your superintendents to forward information desired.

"Yours truly,

"GEO. E. BURNS."

'That was your opinion?—A. That was at the time. I presumed the Grand Trunk Pacific was going ahead.

'Q. At that time that was your opinion, Mr. Burns?—A. Well, if it was not I would not have stated it.

'Q. You stated yesterday that your opinion was just the other way, that the same number would not be required in 1904 as in 1903?—A. Well, I think that I took into consideration the Grand Trunk Pacific project when I wrote that letter.

'Q. I know that I was asking you what your opinion was in the fall of 1903. You stated your opinion that a large number would not be required. Now, you wrote in December you would require more; which is correct?—A. It is difficult to reconcile both, although I utilized the information I had on hand when I wrote.

'Q. When I was trying to find the aggregate number in former years you showed me a statement to the effect that you did not think you would require so large a number, which is correct, your recollection or the letter?—A. I should say my letter.

'Q. How soon did you speak to Mr. Cordasco about supplying the Canadian Pacific Railway with Italian labour?—A. I have no recollection of speaking to Mr. Cordasco about Italian labour or to giving Cordasco any definite idea.

'Q. When you spoke to him would it be as early as September, 1903?—A. I do not think so.

'Q. December?—A. No.

'Q. You understand Mr. Cordasco's position; he would have to get men, he would have to make arrangements ahead?—A. Certainly.

'Q. How long ahead would he require to make arrangements?—A. It just depends on the state of the labour market.

Q. You are beginning to look for men as early as the opening of spring; now, when would you require to inform Mr. Cordasco?—A. I do not think I ever made any preparation.

'Q. Did he?—A. Not to my knowledge.

'Q. You advertise in the same paper he does, you get that paper?—A. I have never seen his advertisement for men.

'Q. You remember the advertisement Mr. Dini says he put in in consequence of the advertisement of Cordasco?—A. I do, Your Honour.

'Q. You say these labour agents had to prepare some time ahead, and you had to prepare some time ahead?—A. No, the preparation was not made. We had no data to go on.

'Q. I understand you were preparing to get ready for the work?—A. We were looking around.

Q. You did not speak to him (Cordasco) at all?—A. I spoke to Cordasco several times.

'Q. When?—A. In the course of the winter. * * * Some steps, some arrangements would have to be made. When I come to think of this matter I can tell you what made me write this letter.

'Q. Well?—A. I had been in New York and had met our agent.

'Q. That was the time you were down with Cordasco?—A. I think that was the time, and he informed me that the general agent of the Anchor Line had told him he was to bring in 10,000 for the Grand Trunk Pacific.

'Q. Who was the agent?—A. I do not know. This agent stated that they were bringing in about 10,000 men for the Grand Trunk Pacific this spring, and I think it must have been acting on this information I wrote that letter.

'Q. That was September you were down?—A. I think not; I think it was later than September; I think it was in December.

'Q. Had Mr. Cordasco that information, too?—A. I think he had.

'Q. You were both together at the time?—A. Yes.

'Q. So that he was also aware that they were preparing then for a large number of men?—A. Yes.

'Q. At that time you thought that steps might possibly have to be taken on the part of your company to import labour from abroad?—A. Yes, Your Honour. I may say that I took some steps in regard to the importation of labour with the management; it was my desire to send some one of our men over——

'Q. To Italy?—A. No, to England, Scotland and Scandinavia for the purpose of getting immigrants.

'Q. How many were you going to get out?—A. We wanted him only to get prepared.

'Q. He was not going to send men over?—A. Only 100 or 200; we wanted him to be ready if we required men to send them by next ship.

'Q. You would not go into such an undertaking for the company without consulting the management, you proposed that to the management this spring?—A. Yes.

'Q. When?—A. I think it was in the month of February or beginning of March.

'Q. Did you talk to Cordasco about helping in this matter?—A. Cordasco was not in it; the Italian question did not come into it.

'Q. Did you not inquire how many you could depend upon getting?—A. I did make some inquiry, but I did not know the number. I spoke to Mr. Cordasco.

'Q. Did he not tell you he was having a lot of men coming from Italy?—A. I think he did mention that he had a lot of men, he did not tell me they were coming from Italy.

'Q. You are quite clear about that?—A. I am; I have no recollection of his saying about bringing any men from Italy.

'Q. He wrote you a letter on May 10, 1904?—A. Yes, I remember that letter distinctly, but I have no idea he ever brought them over.

'Q. The letter is as follows:—

'Montreal, May 10, 1904.

'G. E. Burns, Esq.,
Special Agent, C.P.R.

Re Information.

'Dear Sir,—Arrived by the way of Chiasso, over 300 Italians and nearly 200 by New York. Sure will be a disgraceful for these poor immigrants with the old ones which they put up here all winter, and Italian Consul with his society are to be blamed and they should be crushed to peace.

'Your servant,
'A. CORDASCO.'

In Mr. Cordasco's evidence he admitted receiving a number of letters which were found in his office and also admitted some of the replies sent to same from his office, but invariably denied that he authorized his clerk to state that he wanted 10,000 men. Some of the letters so received and answered are as follows :—

On the 18th October, 1903, he wrote to Mr. Ludwig, passenger agent, Chiasso, Italy, as follows:—

'By the same mail I am sending you package of my business cards, asking you to hand them to the passengers or better to the labourers you will send directly to me. Please note that work here is never short, and anybody you will send to me personally are sure to be employed. In summer you may send hundreds of them and be sure as soon as they arrive they will find work at once. To satisfy the Italians better, I have opened a banking office, of which I send a circular to you, and from which you will see that I can do all that they request. Awaiting for some shipment, and to hear from you soon,

Yours truly,
A. CORDASCO.

P.S.—Please note that on the Canadian Pacific Railway alone I employ about four thousand men per year, besides the other companies. Please take all the information you may require about me.'

In answer he received a letter from Mr. Ludwig dated Chiasso, November 27, 1903, in which he stated: "……I am going to try and send you some passengers in the hope that they will not be cheated, and if I see you act as an honest man I shall give your address to all the passengers who go to Montreal……If you provide work for some of my passengers you must be satisfied with a modest commission, and Alberto Dini, with whom I worked until now, placed my passengers without any commission, and I never had any complaint against him. We shall see then, if you will work with the same conscience and punctuality.

Waiting to hear from you,

F. LUDWIG."

On the 7th December Mr. Cordasco wrote him a very long letter in which he stated: "……Every year I secure work for 4,000 or 5,000 men, and next spring I need 10,000 to employ in the Canadian Pacific Railway, and other railway companies and contractors, and you must know that all the workingmen for whom I secured work, when the season is over, and that have paid every expense, they can save from $150 to $600."

On the 26th January a letter was sent to Mr. Luigi Scarcella, 243 Rideau street, Ottawa, Ont., in which he said:—

"Next season I shall be in need of 10,000 men whose work will be heavy, and I understand in your letter you do not like to work with a shovel. In the beginning of March please to write again, and I will see if I can do anything for you, but I cannot promise anything."

On the 9th February he wrote a similar letter to Aristide Guerrieri, Post Office Box 11, Mapleton Dep., Pa., as follows:—

"Your letter (without any date). I am sorry to say I shall not be able to find any work that will suit you. I find work for thousands of men, and this year I shall be in need of 10,000 of them, but I need only men that can work with shovel and pick."

And on the 19th February in a letter to Angello D. Sentis, 18 Canal street, Buffalo, N.Y., he writes: "..... I need this year nearly 10,000 men, but all of them must be able to work with pick and shovel. If you like you may engage men for the first shipment, but I do not take any responsibility, only take those men who give their name by their own free will and send me the list of the names very clearly written with a mark that shows they have paid $1 each for office and inscription fees."

On February 17, 1904, there was a post card sent to him from Udine, Italy, by Antonio Paretti, as follows :—

'I received a newspaper, the *Corriere del Canada,* in which appears your distinguished name, as I believe you are the kind donor. As we have a strong stream of emigration (from the Venetian Provinces) towards that country, I should be very glad to frequently receive your newspapers, and I can reciprocate by sending you Italian papers. You might send me a time-table of the Canadian Pacific Railway from Montreal to the interior of Canada, with a map * * * *'

In answer to this postal card the following letter, dated March 1, 1904, was sent:

'Sig. Antonio Paretti,

'94 Aquilea, Udine, Italy.

'I am in possession of newspapers which you were so kind as to send me; also your cards, and wish to thank you for them; also two packages. I am sending you the time-table which you asked me for and my address, which you can give to the people so that I will know them when they come.

'At the end of the present month there will open up great and important works, and I must supply about 10,000 labourers. If you have any passengers, you can send them without any fear—I am able to give them immediate work. The salary will be $1.50 a day; besides that they will get a return ticket from any locality; they can board themselves or get board as they like. The work will last long and the payment is sure. Each man gets a contract in Italian, containing the clear conditions under which they have to work, in which is specified the length of time, salary, &c. In one word, there will be no tricks or schemes. I am always here to defend the interests of compatriots. I am, besides, in touch with other navigation agents in Italy, and they have already written to me that they will send some passengers to me this month. If you send any one to me, please supply them with two of my business cards that I sent you, so that each passenger landing at New York will be recognized by one of my agents, which agent, authorized by me, will accompany them to the train, and on the train to Montreal, so that they won't be taken up by anybody else, or fall into the hands of speculators.

Already a large number of workers arrive continuously, especially from Vicenzo, Treviso, and some from Padova, Belleno, also some from Pordenone, Codroipo.

'If you wish to send us any men, you need not have any fear, and send them all to my address. You must notify me in time when the men will arrive, sending the names of the passengers and of the company and boat by which they start.

'With regards,

'(Sgd.) A. CORDASCO.

'Per A. GANNA.

And on April 6, the following letter was sent :—

'Mr. Antonio Paretti,

'94 Via Aquilea, Udine.

'In these days some Italians come to me showing your blank business card and saying that you recommended them to me, and although the presentation signal was not a sure guarantee, I received them and shall send them to work.

'In future it will be better, when you send Italians to me, to give them one of my business cards with your office on them, and I shall be sure they are sent by you.

'Some time ago I sent you several business cards; to-day I am sending you some more of them.

'I thank you for the newspaper you sent me and hope you will receive weekly the newspaper that I send you. 'Yours truly,

'ANTONIO CORDASCO.

'Per A. Ganna.'

On April 26 Mr. Cordasco further wrote him as follows :—

'Mr. Antonio Paretti,

'Udine, Italy.

'I confirm my letter of the 6th inst., and I address you the present to clear up some facts that cause me annoyance, that I do not need to have.

'Many immigrants from the Venetian provinces came to me declaring that they were sent by you, but without any card of recognition, and alleging that you had promised that they would be sent to work in two days.

'I don't wish to blame you for that, nor do I believe what the men say, but I think it is better to clear the matter up. I give employment to all Italians who come to me, as I wrote you in my letter of March 1, but it is absurd to expect that I am to give employment to-morrow to a man who applies to-day to my office. I could not put him before the others who are awaiting their turn to go and work. Please note that this year we had an uncommonly long and hard winter, and in the west, where important railway works will be done the roads and land are still frozen, and it is no use sending labourers there. This year I sent away only 70, while in previous years at this time I sent away more than a thousand.

'Please note that many of your men declare that they are stonecutters, and that you promised them I would have them employed in this quality. I never wrote this.

'Many of these men said that they did not intend to work on railways, but to obtain from me free transportation to British Columbia, and then with very little money to go to Michel and work in the coal mines.

'You will understand how all this annoys me. I am not responsible for the extremely cold season that prevents the companies from starting work.

'No one has sent men away yet, and I have only sent 70.

'In conclusion, so as to eliminate trouble, from this moment do not send me any more passengers, and if you like to send some, please inform me how many are coming (as I asked you in my letter of March 1), and every man must have my business card with your office stamp on, and they must be warned that they must wait for their turn to work. Please, in the notice that you send me, state that you have warned them that they will have to await their turn. Also please send me a list with the names of the passengers you send me. Outside of these conditions, I am sorry to say that I could not accept the responsibility of giving work to your passengers. Please inform them that I will send them to work on railway construction, and that they will have to work with pick and shovel.

'If, afterwards, some roadmaster may choose of them for some special work, it will be all the better for them, but I cannot guarantee to employ men in any particular quality. 'Yours truly,

'ANTONIO CORDASCO,

'Per A. Ganna.'

To this letter he received the following reply:

'UDINE, ITALY, May 8th, 1904.

'In prompt reply to your favour of April 26, which has called my attention and surprise to the facts you have mentioned, and which is in full contradiction with the other of the 6th of the same month, in which you complained that I did not send passengers addressed to you with your business card. Now, I must tell you that it is not my system, after 22 years' experience in emigration, to advise or not the passengers who are at liberty to do what they like. This is my principle.

'All our emigrants addressed to Canada were booked for beyond Montreal, and we are sure of that, for our companies do not give railway tickets beyond your residence.

'I gave the address to nobody, only to those who read your newspaper, full of promises. I answered giving good references of your firm.

'You must have great experience, and you must know that everybody can come and say what he likes, coming to you without a written line.

'Be sure that we are very careful, and we hope you will be too, and we quite understand when something happens that cannot be helped. This year everything has been against us, but we hope better days will come.

"Yours truly,

"PARETTI."

On January 27, 1904, Domenico Zappia sent the following letter from Italy to Mr. Cordasco :—

"STAITI, January 27, 1904.

"Mr. ANTONIO CORDASCO,

"Railway Agent, Montreal, Canada.

"Although I do not deserve to have the honour to be acquainted with your highly respectable person, I take the liberty of writing directly to you asking you a favour.

"As there are here about 70 men who wish to emigrate to that country, I wish you would be kind enough to receive my countrymen passengers on their landing in that part, and tell me which will be the best spot where they can be visited.

'In obliging me with a favour answer, please tell me when the works under your control will be started. I was pushed to write this letter by the noble and good reputation your name enjoys in this country. Please let me know which will be he best landing port on account of the visit.

"If I shall be able to reciprocate such an obligation, I offer you my services if you will please yourself and command me.

"Please accept my unlimited gratitude, &c.

"Yours,

"DOMENICO ZAPPIA."

"P.S.—I wish to know how much costs there, via New York or Boston.

"I beg you to answer me at once, otherwise I cannot make the men start. Please also let me know something about the age of the men, and if men over 60 years of age will be accepted; if they will be received by you, and how they have to answer to the inquiries."

To which Mr. Cordasco, on March 2, 1904, sent an answer as follows:—

"MONTREAL, March 2, 1904.

"Mr. DOMENICO ZAPPIA,

"Staiti, Prov. Reggio, Calabria.

"Your favour is before me, and in short I will let you know anything you require. You may send to me as many men as you like, and I shall be able to find work for them at $1.50 per day, board by themselves, and the railway fare up and down free.

"Every man before he goes to work receives a contract that guarantees his pay, &c.

"You can make your men leave from March 20 or 25 via New York.

"If you will tell me exactly the day on which the men will leave Naples, with which company and steamer, I will send my agent to meet them in New York. He will put them on board the cars and send them to Montreal without any trouble and without falling into the hands of speculators. If they will land in Boston I will send my Boston agent to meet them.

'I am sending you a parcel of my business cards, which you will give to your men to be recognized at their landing in New York or Boston.

'*Re* the age of the immigrants, you must follow the Italian immigration laws that do not allow passports to people over 45 years old.

'Awaiting to hear from you,

Yours truly,

'ANTONIO CORDASCO,
'*Per* A. GANNA.'

On March 3, the following letter was sent from Mr. Cordasco's office in reply to a letter received by him from Marche, Province of Rome, Italy.

"MONTREAL, March 3, 1904.

"Mr. TOMMASO MONTEVERSE.
"Civitanova, Marche.

"I have before me your favour of February 3, and I have recommended you to a good company, the Transatlantica de Barcelona.

Q. That is the company you sold a number of tickets for ?—A. Yes, one of them.

"If as you write there are many men who wish to come here you may address them to me, and for that purpose, in a separate registered parcel, I send you some envelopes and business cards, and you may give one of these cards to each of your passengers, so when they land in New York they will show it and they will be addressed to me.

"In this season the works are enormous and every man will go to work with an agreement in Italian in which are explained the wages, how long the work will last, &c.

"Every workingman earns $1.50 and more per day. He is at liberty to board himself and transportation free up and back. I am here to protect, defend and help the workingman.

"Now, you know how matters stand, and in the event of your going to send me some passengers, send me a list of their names and the name of the steamer so that my agent in New York may go and meet them.

"Yours truly,
"ANTONIO CORDASCO,
"Per A. GANNA."

While Mr. Cordasco stated that he never knew that the number 10,000 had been inserted in any letters written from his office, his clerk, A. Ganna, stated that Mr. Cordasco received all the correspondence himself and opened same, and that he was instructed to write letters in the tenor in which these were written. Not only was 10,000 metioned in these letters but Mr. Cordasco admits that he mentioned that 10,000 men were wanted, to men coming into his office seeking employment, and several witnesses testified to his making such statement. Mr. Cordasco admitted that he owns the greater part of the paper *Corriere del Canada,* which is printed in Italian, and states that a number of copies of each issue are sent to Italy. His examination with reference to same is as follows:—

"Q. You advertise in the *Corriere del Canada?*—A. Yes, they have one of my advertisements calling for men.

'Q. Two or three advertisements in that paper ?—A. Yes.

'Q. How long have you been advertising in that paper?—A. Since November.

'Q. You own it ?—A. I do not.

'Q. Do you not own the greater part of that paper ?—A. Yes.

'Q. And you object to being called proprietor ?—A. Yes.

'Q. You get paid for the advertising in that paper ?—A. Yes, most of the people have to pay.

'Q. How many copies did you send to your town ?—A. About 25 or 30.

'Q. How long have you been sending them to your town ?—A. Since November.

'Q. How many did you get printed ?—A. Some times 450.

'Q. Did you send one half to Italy?—A. Not quite, I suppose.

'Q. About half ?—A. 60.

'Q. More than 60 to your own little village ?—A. In my village I have many relatives.

'Q. And you sent them every week ?—A. Weekly.

'Q. You get people to write articles in this paper for you ?—A. Yes, to write articles some times.

'Q. Scarrone wrote an article for you ?—A. Yes, sir.

'Q. You asked him to do so ?—A. No, sir, never.

'Q. Who suggested he should use your name in connection with the Canadian Pacific Railway ?—A. I do not know.

'Q. You remember his writing an article for you ?—A. Yes. I did not ask him to do it.

'Q. The *Corriere del Canada* has a long labour article ?—A. February the 27th, 1904.

'Q. It is headed "Italian Labourer" and it reads:

"The working season is approaching under a very promising aspect. The principal companies have in the past few winter months estimated for a large amount of work, and will give employment to a more considerable number of men than in other years. The greatest and most sincere friend of the Italian labourers, Mr. Antonio Cordasco, of Montreal, the sole Italian agent for the most important railway company in the world, the Canadian Pacific Railway, proposes himself to give, in the coming season, work to as many labourers as may apply to him. What he proposes to do himself cannot but be realized owing to the enormous amount of work the Canadian Pacific Railway will do this year.

"This company, which, both for the extension of its lines and for its capital, is the finest among railway companies, and it is considered also as the most important proprietor of land, owning 14,000,000 acres. It has always employed a larger number of labourers than any other company and with higher wages. Mr. Cordasco, the sole agent of the company, never betrayed the confidence that was put in him, not only fulfilling his duty as an agent, but assisting and protecting Italian labourers, and the good reputation he enjoys among the different companies and contractors is the best guarantee for the labourers employed through him.

"But the most splendid proof of that has been given by two thousand labourers, who in orderly parade, demonstrated a few days ago in Montreal that they did not forget what was done for them, and even if there were no other proof, this would be sufficient to show the philantiropic work of Antonio Cordasco.

"The spontaneous demonstration by two thousand men in a town where Italians are not counted by hundreds of thousands was most flattering for the person honoured, and we cordially congratulate Mr. Antonio Cordasco.

"What we say is not flattery, for we very well know that Mr. Cordasco, as a business man, does not care for that. It is only to sympathize with him for what he does for the Italian labourers who come here ready to fight against any kind of adversity, and who find in Cordasco a father, a friend, who not only helps and protects them, but puts them in a position to provide for their families and their aged parents.

"But as if all that was not enough, he has instituted a solid bank, through which anybody can send money to any part of Italy within a few days.

"We trust that the benevolent action of A. Cordasco will last for years and years, for the welfare of our labourers, and we cannot help to let his name be known to everybody, so that our compatriots will know when landing here that they will find a friend waiting for them."

'A. I never ordered that, I never ordered this man to put in one line of that kind.

'Q. Turn up the letter to Mr. Scarrone ?—A. I never ordered him to send such an article.

'Q. Did he not send that article to you to be printed ?—A. He sent it to be printed.

'Q. And you saw it before it was printed ?—A. Yes.

'Q. You had it printed ?—A. Yes.

'Q. You sent that paper all over Italy ?—A. Sixty in Italy besides my town.

'Q. You wrote on February the 9th ?—A. That was the very day when I was in bed.

'Q. You say: "I have received yours of the 7th instant and I thank you very much for the kind words you wrote in your correspondence, of which I am proud. But I am sorry that I cannot publish this correspondence as I do not wish the readers to know that I am the capitalist and administrator of the *Corriere del Canada*.

"If I should place this before the readers they will say that I sing my own praises, that I order others to praise me; so you can (and I thank you for that) send articles on the work and solidity of the Canadian Pacific Railway, but do not tell the readers that I belong to this newspaper.

"You may say this privately to your advertisers and subscribers. I like the principle of your correspondence, which is well written, but you understand that it is no use to let the people know that I have a share in the newspaper for the above reason.

"If you send for Monday a good article on the work of the Canadian Pacific Railway, I shall publish it with the greatest of pleasure. I take the opportunity to thank you for the kind reception you gave to my traveller, Mr. Ianuzzi.

"Please tell me if you received the newspapers. I will be glad if you will confirm that you accept to represent the *Corriere del Canada* on the condition proposed.

"Please send me your cut, for I wish to introduce you to the readers by publishing it.

"Wishing you good business, and hoping to receive on Monday an article to publish as correspondence from Toronto.

"Yours truly,

"ANTONIO CORDASCO."

'Q. You advertised in *La Patria Italiana* ?—A. Yes, about a month or two ago, a couple of months ago.

'Q. Did you put in advertisements for some time ?—A. Yes.

'Q. Some friend put one in ?—A. Yes.

'Q. Was that the one about the ten thousand men ?—A. Yes, I remember he put in an advertisement asking for men.'

The evidence shows that the newspapers and cards referred to in the above letters and sent by Cordasco to Italy were distributed there and resulted in a number of Italian labourers coming to Montreal, as shown by Mr. Cordasco's letters to Paretti in March and April above set out and also shown by the evidence of several of the witnesses, among whom were Antonio Sicari, Francesco Picimento and Saverio Cresavi.

Antonio Sicaro being examined, stated that he arrived here on May 15 from Reggio, Calabria.

'Q. What made you think of coming here ?—A. They sent so many newspapers and circulars, and some representatives.

'Q. Who sent them ?—A. A man named Pasano, he paid for many men.

'Q. How many ?—A. In my village about twenty.

'Q. Where did he direct you to go ?—A. He gave the address to each man, and told us to go to Cordasco, and we paid 450 francs.

'Q. All ?—A. Yes, all. I paid 450 francs, there were ninety of us paid the same amount.

'Q. Where were you directed to go ?—A. To Cordasco, they gave us his name and address.

'Q. What did you do in New York ?—A. We were visited and examined and come direct to Montreal, and went to Cordasco and paid him $3.

'Q. How many men came with you in the same vessel ?—A. 750 Italians.

'Q. Did they all come to Montreal ?—A. I think there remained about thirty in New York.

'Q. Had they the address of Cordasco, all these men ?—A. Yes.

'Q. Did you see any circulars from Cordasco ?—A. Oh, yes, there were lots, and newspapers.

'Q. What was on the circular ?—A. It stated that any man that could come would make plenty of money, so that we came to this country and left our families.

'Q. Did the circulars state how many men were wanted ?—A. They stated that every man should like to come, because he would make lots of money.

'Q. Did they state the wages ?—A. Yes, sir.

'Q. How much ?—A. From 7.50 to 10 lire per day, stone mason, 15 lire, or about $3 a day.

'Q. Did you get any employment since you came here ?—A. We were promised work from day to day and some got work.

'Q. How many did get work, between six and seven hundred ?—A. I do not know, because we did not stay in the same place.

'Q. Were there many without money ?—A. No one had money.

'Q. How were you supported ?—A. Well, our families helped us some, and others helped us.

'Q. What is the name of the steamer you came in ?—A. Santo Trado.

'Q. What line ?—A. The Italian General Navigation Company.'

Francesco Picimento stated that he was nineteen years of age, arrived in Montreal on April 25 from Reggio Calabria in the steamer Ingle Terra.

'Q. Who paid your passage coming over ?—A. I paid myself.

'Q. How much ?—A. $34.20.

'Q. How many came out with you ?—A. From the same village there were about thirteen or fourteen.

'Q. From all parts ?—A. 1,800 with the sailors.

'Q. How many came to Montreal ?—A. Fourteen came to Montreal.

'Q. Did you come direct to Montreal ?—A. The ship arrived in New York.

'Q. How many men came from the ship through from New York to Montreal ?—A. Fourteen from my place, I do not know about the rest.

'Q. Were there many ?—A. Yes.

'Q. Did you see any papers to induce you to come here ?—A. Yes, sir.

'Q. What were they ?—A. They came from Montreal.

'Q. What name was on them ?—A. Cordasco Bank.

'Q. Who showed you these papers or gave them to you ?—A. Some gentleman from that place.

'Q. They left the papers with you ?—A. Yes, he had lots of papers.

'Q. What did the papers say ?—A. All those who wished could come to Montreal and make plenty of money.

'Q. Did you come out in the same boat as Antonio Sicari ?—A. No, before him, the ship before.

'Q. How long before you came out did you see the circulars ?—A. They commenced to post circulars in February, two years before.

'Q. You saw that circular two years ago ?—A. There was a circular telling them to come here and make money.

'Q. Whose name was on the last circular ?—A. I do not remember.

'Q. Do you remember the name on the Montreal circular ?—A. Yes.

'Q. Whose name ?—A. Antonio Cordasco, Montreal.

'Q. Did you apply to Cordasco for work ?—A. Yes.

'Q. Did you give Cordasco any money ?—A. Yes, I paid $3.

'Q. What for ?—A. I paid because he asked for it, so as to send me to work in the country.

'Q. Did he send you to work in the country ?—A. No, sir.

'Q. Did you ask for the money back ?—A. Yes.

'Q. And Cordasco refused to pay ?—A. He said, 'Why do you want it, you will be on a gang that will start to-morrow.'

'Q. Have you any means of paying your way ?—A. No, sir.

'Q. How are you supported ?—A. I have no more money, I was obliged to work for fifty cents a day, it ceased the other day.

'Q. Are you working now ?—A. No, sir.

'Q. Do you know any men in Montreal who came from your village this spring ? —A. There is a cousin of mine here.'

Saverio Cresavi stated that he arrived in this country on May 15 from Reggio Calabria, having paid his passage out on the steamer The Piedmonte of the La Veloce line.

'Q. What induced you to come out ?—A. I saw the others starting for this country and I felt like doing the same.

'Q. How many came out on the same boat ?—A. 550.

'Q. Did you all come to Montreal ?—A. No, sir, only twenty-five.

'Q. Where did the others go ?—A. To New York.

'Q. Did any of them come afterwards from New York to Montreal ?—A. I do not know.

'Q. Did you apply to Cordasco for work ?—A. Yes, sir.

'Q. How did you come to do that ?—A. He said if you have $3 you will go to work, and I paid the $3.

'Q. Did you get a job ?—A. No, sir.

'Q. Have you asked for a job more than once ?—A. Yes, I asked every day.

'Q. What did Cordasco say ?—A. Well, all right, you can go to-morow, but I never went.

'Q. Did you ask for your money ?—A. Yes, sir.

'Q. What did Cordasso say ?—A. He said he would not return the money, but to wait until I got a job.'

Guiseppe Mignella, being examined, stated:—

'Q. Did you know any of the Italians that came from Italy during the spring ? —A. I knew some.

'Q. How many ?—A. I knew three from my own place and some from other places.

'Q. Who brought them out ?—A. Fratello, who stated to me they had consulted Cordasco's newspapers.'

Mr. H. Laporte, Mayor of Montreal, in his evidence said:—

'Q. Did you know he (Cordasco) was interested in bringing them (the Italians) out ?—A. Well, I have the names of a few agents, Mr. Cordasco, who I understand claimed he had large contracts from railway companies which he must fill, and he brought out a certain number of men.

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'Q. Did he mention about how many he would require on the railway ?—A. He mentioned last year about 10,000 would find employment.

'Q. That he wanted 10,000 ?—A. He expected that number would be required this year.

'Q. When was this he said that?—A. It was on the first or second of June.'

Count Francesco Mazza, Italian Consul General in Canada, gave the following evidence:—

'Q. Were you in a position to ascertain what was the reason for this excessive immigration ?—A. It seems that persons interested in having immigrants come to Canada so as to employ them have written to Italy, and sent advertisements in order to have people come here.

'Q. That is not with your approval, or with the approval of the Italian government ?—A. On the contrary, it is in opposition to the wishes of the Italian government and the wish of the consulate.'

Mr. James B. Mack, Vice-President of the Dominion Trades and Labour Council, and labour editor of the Montreal 'Star,' stated:—

'Q. Mr. Mack, whose names did these Italians who went to your office mention in connection with bringing them from Italy ?—A. They mentioned Mr. Cordasco and several others ; at that time I was not so much interested in it as now.

'Q. Did they tell you the methods by which they were induced to come ?—A. They had been induced by letters, circulars, and some of them cards, some on their own responsibility, others had wished to come to see if there were any good propositions in Canada, more wages, no need for any man to be out of employment in the Dominion of Canada.'

Chevalier Charles Honore Catelli, the President of the Italian Immigration Aid Society No. 1, Montreal, being examined, gave the following evidence:—

'Q. Have you formed any opinion as to the chief cause of this excessive immigration, will you give it to us ?—A. Some Italians came to see me, when I asked them why they came here they said they had been sent by Mr. Paretti, of Udine.

'Q. How many were there ?—A. There were five or six. They went back.

'Q. Did they show any cards ?—A. They had a book of addresses and set of cards at Paretti's office.

'Q. What were on the cards ?—A. I did not notice, these people were told by Mr. Paretti that Signor Cordasco was a large contractor in Montreal and wanted eight or ten thousand men.

'Q. They were told that in Italy ?—A. Yes.

'Q. That induced them to come to this country ?—A. Yes.

'Q. They have now gone back to Italy ?—A. I was told they had gone back.

'Q. This is a statement by these men : "We, the undersigned, declare as follows : That at the moment of leaving Italy for Canada, Mr. Antoni Parretti has read and shown us a letter signed by Antonio Cordasco, in which he asks for 8,000 or 10,000 labourers from the Province of Veneto, and in which he promises immediate work as soon as we get to destination. Besides this we saw circulars and newspapers coming from Montreal, with the photograph of Cordasco circulated in our province, encouraging the labourers to emigrate to Canada. Besides that Parretti distributed the address of Cordasco as above.

"Signed by ten Italians."

'Q. Is that a correct translation ?—A. Yes, sir, that is about what they told me.

'Q. Do you remember receiving a letter of complaint from some Italians at North Bay ?—A. Yes.

'Q. Is this a proper translation of it :—

"States that the men were pretty nearly starving up at North Bay; they had got some help from another man who came from Montreal. If it had not been for him they would have died, some of them. Now would be the time to ask Mr. Cordasco where is that work which he had when he said he would employ 8,000 or 10,000 labourers, in the letter he wrote to Antonio Parretti ,agent of La Veloce Udine. About twenty of us at Venete can prove this. Mr. Parretti read to us a great many times the letter of Mr. Cordasco. You must pardon my speaking about Mr. Cordasco, but my conscience compels me to. I am only doing it with a view to stop this fraud, and they have had to mortgage everything to come to this country, with the hope that they would find a fortune; in exchange they are suffering hardships and misery.

"The day that I signed the declaration there were over twenty with me. Italians all over Canada tell you the same.

"To certify the truth of what I am saying I will sign with two of my friends.

"(Signed) ANTONIO COSANI,
"DEMURAZA GIOVANNI,
"VITTORIO VENTARUTTI."

'A. Yes, that is about the tenor of the letter.

'Q. Which you received from North Bay?—A. Yes.'

Mr. Ganna, clerk of Mr. Cordasco, in his evidence stated:—

'Q. How many came from Calabria here ?—A. I think in Montreal direct from Italy they did not come more than three or four from that province.

'Q. How many came from Chiasso ?—A. That is another question, from Chiasso there came about eighteen or twenty, having business cards printed by Mr. Cordasco.

'Q. Who do you think they were sent by, Ludwig for Cordasco ?—A. Yes, he sent his paper to about twenty young men coming to Montreal. Mr. Cordasco wrote the men last October, I do not remember the date.

'Q. How many came through Paretti ?—A. I know of twelve.

Upon the declaration of the ten Italians, dated April 22 being read, Mr. Ganna said:

'Q. I remember that very well, because they came to the office, and afterwards went to the immigration office and told them; I remember that very well.

'Q. Will you look at that letter-book, page 60, Mr. Ganna, November 4, 1903 ?—A. Yes, your Honour.

'Q. This is the letter:

"MONTREAL, November 4, 1903.

"GEO. A. RINGLAND, Esq.,
"General Passenger Agent
"Canadian Pacific Steamship Line, Atlantic Service,
"6 St. Sacrament St., Montreal.

"DEAR SIR,—I represent nine different lines, as per the attached list, and I think I could do considerable business with your company. I do not refer to business to Italy, but I have had a number of inquiries for tickets to Liverpool and London, and I think I could sell a good many for you.

"For references as to financial standing, please refer to the Dominion Bank, or if you require a bond, I am willing to put it up. I will also refer you to Mr. G. E. Burns, chief of the Labour Department, for whom I have been supplying men for a number of years.

"I also supply men for the Grand Trunk, and a large number of contractors and railway companies in Canada, and in the course of the year get in touch with probably 6,000 or 7,000 Italians.

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"Will you kindly let me know what you can do for me in the above and oblige.

"Yours respectfully,

"A. CORDASCO."

'A. I did not write that letter.

'Q. Whose signature is that to that letter in that letter-book ?—A. That is Mr. Cordasco's own signature.

'Q. What steamship line does he write to there ?—A. This is a French line; I wrote this letter from a copy he gave me.

'Q. He wrote it first and you copied it for him ?—A. I think so, I have copied this for him.

'Q. This is the letter:

"MONTREAL, November 14, 1903.

"Compagnie Generale Transatlanique,

"General Agency for Canada,

"1672 Notre Dame Street, Montreal.

"GENTLEMEN,—I hereby beg to apply for the third-class rate steamship tickets for your line. I represent nine different lines as per the attached list, and I think I could do business with your company.

"I have a number of inquiries for tickets, and I think I could sell a good many for you.

"For reference as to financial standing, please refer to Dominion Bank or Hochelaga Bank or Toronto Bank. I will also refer to Mr. G. E. Burns, chief of Labour Department of the Canadian Pacific Railway Company, for whom I have been supplying men for a number of years.

"I also supply men for the Grand Trunk and a large number of contractors and railway companies, &c., in Canada, and in the course of the year I get in touch with probably 6,000 or 7,000 Italians.

"Will you kindly let me know what you can do for me in the above, and oblige.

"Yours respectfully,

"ANTONIO CORDASCO,

"Per A. GANNA."

'Q. Do you remember whether he got the agencies for these companies ?—A. Yes, a few days after, I think about ten or fifteen days.

'Q. So this was before he wrote to the people in Italy for ten thousand men ?—A. I do not remember the date of that letter.

'Q. These were in November, 1903, and your letters were early in 1904.'

Mr. Alberto Dini admitted the following advertisement was inserted in the issues of *La Patria Italiana* of January 14 and 21, 1904, namely:

"For the coming spring Mr. Dini announces that there will be a very large demand for perhaps 10,000 labourers for the coming spring. Italian workingmen know that Mr. Dini is the representative of very many construction companies, and also are aware of the proverbial integrity with which he has in the past proven during the many years he has resided in Canada. Every one who wishes to be assured of work at good wages from the spring to the coming winter can go from the present time and be inscribed at the banking office of Mr. Dini, 2026 St. Catharine Street."

In his examination he gave the following evidence:

'Q. This is an advertisement of *La Patria Italiana,* that is your name ?—A. I do not know who put it in.

'Q. See, there is a similar advertisement put in by Mr. Cordasco ?—A. I cannot say; a man coming home, employed by *La Patria Italiana,* say, You will see Cordasco wants about 10,000 men, and I told do what you like. I do not give number. The paper came out and I see the advertisement.

'Q. It was not your authorization, you did not authorize it ?—A. No, sir. What papers say that ?

'Q. *La Patria Italiana* ?—A. Same paper.

'Q. Yes. What excuse had you, Mr. Dini for giving an advertisement calling for 10,000 Italians ?—A. I have not told to put in ten thousand. I told you they will reply to Cordasco's advertisement. I never told to put 10,000 or 5,000.

'Q. 'What was Cordasco's advertisement ?—A. I think about 10,000.

Q. How many Italians do you think you have succeeded in bringing here ?—A. I did not bring any at all.

'A. Mr. Cordasco says he brought in 12,000 in three years ?—A. Cordasco ? I do not know what he did, I have not bring men here at all.

'Q. Have you agents in Europe?—A. No, sir.

'A card having been produced to Mr. Dini with his name on same he was asked : "That is given to persons ?—A. Given to persons coming from Chaisso to Montreal.

'Q. That is they are recommended to you by the Societa Anomina d'Emigrazione at Chiasso ?—A. Yes.

'Q. What you told me a minute ago was hardly correct; you have given authority for these to be given to introduce men to you ?—A. Well, some times in the late summer labour is very scarce, and they want to go around to Quebec. When the ship arriving in Quebec and get labourers and he write to me. Said I know you have a good name, and if I like I recommend to you.

'Q. And that is what this card is for ?—A. Yes.

'Q. How did it get to Chiasso ?—A. I do not know ; probably the society gave it to him.

'Q. Do you know any one in Chiasso ?—A. Well, I see one man when I was in Italy last year. I say to one or two agents, if you send these men recommend to me. I can promise nothing if men come to Canada otherwise. I go and see that man you consult in Dolo Vico. I saw him and another in Chiasso.

'Q. Was that Ludwig ?—A. Yes.

'Q. What agreement did you enter into with Ludwig about bringing men over from Italy ?—A. No agreement; I told him just a few words. He said, "Dini, you are here, I am glad to meet you. I think you do the best you can for the men. Give them your address, because the men complain when arrive in Montreal somebody else takes them." He says, he repeats, he complains, and that is the reason why I will send to you because there is no complaint at all.

'Q. How many men came to you this spring from Chiasso ?—A. I cannot tell exactly, probably 100, probably 200; I do not think more.

'Do you remember receiving that letter from the firm of Corecco & Brivio ? —A. Yes, sir.

'Q. This letter is dated May 7, 1904, and is from Bodio, Switzerland, and addressed to Mr. Alberto Dini, Montreal.

"You are already aware that our firm has had your address for several years, having during that time sent you a great number of labourers. They received from you all the help and information possible regarding work and we have no doubt that our sending you such men has caused some trouble.

"You are also aware that our firm is corresponding with the 'Societa Anonima d'Emigrazione, La Svizzera,' as well as with other agencies of emigration of Switzerland, which have been regularly and legally constituted.

"You do not ignore that a brother of Mr. Schenker, one of those who has opened an office in Montreal for the exchange of money in order to compete with you, has lately opened an office in Chiasso, Switzerland, and gets passengers from Italy through the help of Schenker who is in Montreal.

"The latter sends to his brother in Chiasso notices and orders for the shipment of men, and the brother reads the notices to the passengers mentioning the ships they ought to go by.

"Having had knowledge of this action on the part of Schenker we took the liberty of addressing ourselves to you in order to advise you and inform you thereof and to ask if it would be possible for you to do something for us in the matter.

"In order to facilitate the thing for those who wish to go to Montreal through friends, you can exact yourself in Montread the amount of the passage money. Send us an order for shipment, saying at the same time that you should pay us only 170 francs from Chiasso to Quebec. All that you can get above that from the interested parties will remain to your benefit.

"It is understood that our shipments will be executed as far as we are concerned with accuracy and precision.

"We enclose herewith a list of the dates of sailings of the ships of the C.P.R., plying from Antwerp, and we beg to reply to us and hope that the same may be favourable.

"We remain,

"CORECCO & BRIVIO."

"P.S.—You can interest yourself in another way by suggesting to those who want to get their people to Canada, to take or get transportation through our firm. Or you may give us the address of the immigrants so that we may write to them and offer them our services. When the shipment is finished we will send you a commission, such as it may be possible for us to pay."

'Q. Do you know this firm, Mr. Dini ?—A. No, sir.

'Q. They say they have been communicating with you for several years ?—A. Well, I told you yesterday that men coming from Chiasso gave me a card.

'Q. Very many men ?—A. No, sir.

'Q. When did you receive this letter ?—A. I do not remember, in April or May.

'Q. What did you do on the receipt of it?—A. I never answered it.'

Mr. Dini was in error when he stated that he did not give any instructions to have the advertisement inserted in *La Patria Italiana*. Mr. Di Rosa in his evidence states:

'Q. You are editor of *La Patria Italiana* ?—A. Yes, chief editor.

'Q. Do you remember Mr. Alberto Dini asking you to write out an advertisement calling for 10,000 labourers ?—A. Yes, sir.

'Q. This advertisement was published January 14 and 21 last, 'For the coming spring, &c.;' did Mr. Dini ask you to write that ?—A. Yes, the first time.

'Q. And it was repeated in other editions ?—A. Yes, many times.

'Q. What is the circulation of your paper ?—A. From 1,200 to 1,300.

'Q. Dini said here the other day that he knew nothing about this advertisement, he saw it only afterwards ?—A. He came himself to my office and asked me to write the advertisement.

'Q. Where did Dini tell you to write it, at what place ?—A. In the newspaper office.'

Means and Methods Adopted to Bring About Immigration.

In addition to the means and methods to which I have already referred, the evidence shows that Mr. Cordasco employed agents in the United States for the purpose of hiring Italians for the C.P.R., he also had printed letter headings and envelopes bearing the Italian crest, the envelopes being in different colours, green, blue, yellow and brown. In his evidence with reference to these, he stated:

'Q. Does not that crest belong to Italy ?—A. It is not the full crown of Italy.

'Q. On arrival in Italy they would think that came from the King ?—A. I do not know that, your Honour.

'Q. You had these envelopes in different colours, green, blue, yellow and brown, these are all Antonio Cordasco's crests?—A. Yes, your Honour.

'Q. Why did you put the Italian crest upon them without authority?—A. I did not do it myself, Ganna did it.

'Q. You have the crest upon all your letter paper and envelopes, even upon that banquet invitation?—A. All through Ganna, I was sending nobody.

'Q. You had no authority to allow you to print the coat of arms on your envelopes?—A. I am ready to take it off if your Honour wishes.

'Q. Was not that done for the purpose of making these poor immigrants think you were connected with the Italian government, and that you were really the King of Labour?—A. I will cut them off. Of course I asked Ganna; he is not responsible, it is not a full crown."

It was further shown that at least one or two persons went from Montreal to Italy for the purpose of bringing out Italian labourers. With respect to these the following evidence was given by Mr. Cordasco:

'Q. You know Mr. Marcucci?—A. I never saw him.

'Q. When did Mr. Marcucci go over to Italy?—A. Marcucci, I don't know anything about him.

'Q. He was sent over from Canada to bring these men out to this country?—A. I never sent him there.

'Q. Did you ever hear of that before?—A. I never heard if this man went from Canada to Italy for men.

'Q. You know Boconcelli?—A. Yes.

'Q. Was Marcucci only employed?—A. I have heard him mentioned, but I do not know this man.

'Q. Then Marcucci did go from Canada?—A. I do not know, I think Boconcelli sent him.

'Q. What did he send him for?—A. I do not know.

'Q. How many tickets did Boconcelli get from you to bring men out?—A. About 13 or 14 men, the books show it.

'Q. How much did Boconcelli pay for the tickets?—A. $36.65 from Naples to Montreal; $30 from Naples to New York; $6.65 from New York to Montreal.

'Q. Did he buy tickets direct from Naples to Montreal?—A. Yes.

'Q. What is your profit on each ticket you sell?—A. In this company I think $7

'Q. How many tickets had you issued?—A. 14 tickets to Boconcelli.

'Q. Who directed him to do all that work, you?—A. Yes.

'Q. You instructed him?—A. For this work, yes.

'Q. Boconcelli was a great friend of yours?—A. No friend of mine, no relation.

'Q. Never mind the relations, you lent him money?—A. Yes.

'Q. How much?—A. About $380.

'Q. Now you sent Marcucci over to Italy with these tickets?—A. I know nothing about that, I heard he sent him.

'Q. Heard of it after he bought the tickets. Marcucci came back again?—A. I never heard of it.

'Q. Heard about it?—A. Boconcelli told me, that is all I know.

'Q. How much did he charge these men?—A. I do not know.

'Q. You heard?—A. I did not.

'Q. What is the use of saying, you told me you did, they charged these unfortunate men $60 for every $30 ticket sold, Boconcelli said it?—A. He probably did, I do not know whether he got $60, $65 or $70.

'Q. You are swearing to it, how much did he charge these men?—A. I think Boconcelli said he was going to charge $60.

'Q. Now, you have given money to Boconcelli, gave him $100, took a $125 note for it on demand?—A. That is all business.

'Q. You sent him out as foreman ?—A. I did that.

'Q. One of the first men?—A. On July 16.

'Q. He gave you a list of his men ?—A. Yes.

'Q. He brought these Italians with him ?—A. I don't know. I gave him $35.

'Q. How was Boconcelli to get this $60 from those men ?—A. I do not know.

'Q. Yes, you talked the matter over with him, you were to get money from him ?—A. I lent him money to accommodate.

'Q. It was to come out of his wages ?—A. Yes, whenever he got them.

'Q. That was understood?—A. Yes.

'Q. These men were to pay their money out of their wages ?—A. I had nothing to do with him.

'Q. You loaned Boconcelli the money because he brought men out, sold tickets and was to get it out of their wages ?—A. I only loaned him money.

'Q. The first note you took was for $125, you paid him $100 ?—A. Probably.

'Q. The second note was for $65, how much did you pay him ?—A. I do not remember.

'Q. The third note was for $190, how much did you pay him, $140 ?—A. Probably.

'Q. These moneys you said you were to be recouped as soon as he got his wages from the Canadian Pacific ?—A. Whenever he earns it.

'Q. He was also to receive money from these men brought out from Italy ?—A. I do not know, he told me that they owe him an amount of money.

'Q. He was to get their wages to pay it ?—A. I do not know.

'Q. He told you ?—A. He was looking to the men to pay the money.

'Q. Because he was to get their wages, every man of them, was not that the case, he was to get their wages ?—A. That is what he said.'

Mr. Ganna, in his examination, stated as follows:

'Q. Do you remember Nicola Maroni ?—A. He had seven or eight steamship offices in Montreal.

'Q. Is he here now ?—A. Not at present.

'Q. Who were the men he brought out ?—A. This I cannot tell.

'Q. How did he come to send so many men ?—A. I remember he came twice.

'Q. Did he come in the same ship as Boconcelli ?—A. Perhaps, one time I think he came with Boconcelli, I am not sure, yes, he came about the same time.

'Q. He came on the same day, on January 11 ?—A. In January, yes.

'Q. Do you know how many tickets he purchased ?—A. I cannot tell you exactly.

'Q. Boconcelli and Maroni, there are seven marked there ?—A. Yes.

'Q. Do you know how much he charged these men going out ?—A. I do not know what Maroni charged.

'Q. Probably the same as Boconcelli, they were together?—A. Some people have told me that Boconcelli charged $60, but I do not think this is true.

'Q. Mr. Boconcelli told that to Mr. Cordasco, that is what you heard?—A. Yes, perhaps.'

Persons Engaged in Promoting Italian Immigration.

The evidence shows that the only persons engaged directly or indirectly in Canada in promoting the immigration that took place were George E. Burns and Antonio Cordasco, acting on behalf of the Canadian Pacific Railway Company, and Alberto Dini. The Schenker Brothers referred to in the Corecco & Brivio letter to Mr. Dini, had ceased doing business in Montreal some time previous to the immigration in question, and so far as the evidence showed, had nothing to do with same.

TREATMENT OF IMMIGRANTS BY AGENTS IN MONTREAL.

The evidence shows that there were at least 6,000 Italian immigrants in Montreal in the month of May last, many of whom had been induced to come to Canada by reason of the advertisements and representations made to them as above set forth. The evidence shows further that the Italian labourers could not obtain employment with the Canadian Pacific Railway without first paying Cordasco the sums demanded by him, Mr. Burns refused to employ any Italians unless through Cordasco. The Italian Immigration Aid Society, in order to relieve these men from this imposition, on March 5, 1903, wrote to Mr. McNicoll, General Manager of the Canadian Pacific Railway Company, as follows:—

"DEAR SIR,—We noticed in yesterday's *Star* that your company and sub-agents fear not to be able to secure a sufficient number of labourers to carry on all the estimated work for the coming season.

"Two months ago we applied to your company, proposing to supply all the labourers you might need, and now we beg to apply to you personally stating again that:

"You can trust on us for any number of men you may reqûire, even for thousands.

"We shall supply these men without any charge whatsoever for the company, and shall act as interpreters and do all the work, so as to prevent any kind of trouble or annoyance for the officers and employees of the company.

"Our society being under the control and subsidized by the Italian government, we may have good, sober and honest people coming to us through the Emigration Office in Rome, that would never allow criminals or sick men to come here.

"Later on, when the railway work will be over, we shall try to settle those men on land and make them good and industrious Canadian citizens.

"As our principal aim is to protect our countrymen against any kind of swindlers, of whom they have been victims until now, we try to secure the good-will and co-operation of all the companies that engage Italian labourers, the Canadian Pacific Railway Company first, as the most important of the Dominion, offering our services for the allotment of the men.

"Two months ago we sent to the Canadian Pacific Railway Company fifty copies of our by-laws, and as perhaps they did not reach you, we beg to send to you another one of them, from which you may see that our work is highly moral, and that it deserves to be taken into consideration.

"Please address yourself to our office, where you will find our agent always at your disposal for any information your company may require.

"Trusting to hear from you very soon, so as to put us in condition to be always ready to meet your requests.

"Yours truly,

"C. MARIOTTI, *Sec.-treasurer.*

"The Immigration Aid Soc., No. 1."

To this letter they received the following reply:—

"March 16, 1903.

"C. C. MARIOTTI, Esq.,
Sec.-treas. Immigration Aid Society, No. 1,
"906 Lagauchetière St., Montreal.

"DEAR SIR,—Referring to your letter of the 5th inst., directed to the second vice-president and general manager of the company, and also referring to the conversation with the delegation representing your society which took place in my office some days ago, I would state I have taken up the question of the employment of labour with the proper authorities, and have to advise you that it is not the intention of this company to change the arrangements for the employment of Italian labour, which have been in

vogue during the past few years; our present system has given entire satisfaction so far, and I therefore regret I shall be unable to place direct with your society any specific order for any number of men.

"Yours truly,
"G. E. BURNS,
Special Agent."

A number of Italians gave their evidence before me showing that Cordasco demanded a fee of $1 for registering the name of the applicant, as labourer, and $10 as foreman or interpreter; that he subsequently demanded from the labourer $2 to $3 as a further fee before he would recommend them for employment; after receiving these sums of money he did not get employment for them, and refused to repay the sums so obtained. A number of these men had to bring suit against him for the return of moneys so paid, and under a judgment he was compelled to repay certain of these sums.

Mr. Cordasco in his evidence with reference to the receipt of these sums of money admitted same.

It was admitted that there were at least sixty-three foremen since the beginning of November, 1903, up to May or June, 1904, the greater number of whom paid $10 each; and that there were 3,916 men registered, of whom 400 paid $4 each. Cordasco in his evidence stated:

"The men paid me $1 in December, $2 in March; later on in June they came along and wanted to get registered, and they forced me to take more money."

'Q. You were making out a statement last night as to the number of men who registered with you this year ?—A. My bookkeeper has got it, I think.

'Q. From the statement that you produced, Mr. Cordasco, there appears to be sixty-three foremen ?—A. Well, yes.

'Q. Have these men all paid ?—A. Three have not paid.

'Q. If all had paid it would be $630 ?—A. I received $10 unless for three men, this would be $600.

'Q. Then I see 3,916 men, is that right ?—A. It is right.

'Q. You received from these $5,656 ?—A. Yes.

'Do you know what rate they paid ?—A. Some $1 and some $3.

'Q. How much did you charge the Canadian Pacific Railway ?—A. I did not receive anything, I did not care.

'Q. You charged $5 a day when you were sending them out before this arrangement ?—A. Yes, if I did a full day's work.

'Q. Is that statement of the charge at $5 during last year up to the end of December, 1903 ?—A. Yes.

'Q. You received from the C.P.R. $1,456 up to the end of last year, how much this year ?—A. Only a few dollars for January, February and March, I cannot say whether it was $400 or more.

'Q. Now, you say there are over 404 paid $4 who had been registered twice, have they work yet ?—A. No.

'Q. You got their $4 ?—A. Yes, I am going to give them back.

'Q. You got $3 from each of these men between the 5th and 12th July, you got over $600 from these men ?—A. If they want the money back I will give it to them to-night.

'Q. Mr. Cordasco, how much money have you received from all those you have employed ?—A. Ganna has got the figures, he has done my work, and I will take what he says.'

Mr. Ganna gave the following evidence:

'Q. Do you know how much Cordasco makes in a year out of these people?—A. I cannot tell you, because I have not been with him a year; for about six months I can say about $7,000.

'Q. Out of men for six months?—A. No, out of the men altogether, out of the men registered now. You have that list, the amount is $6,121.

'Q. How much from the Canadian Pacific Railway during the same months?—A. That changes every month, some times $270, sometimes $300, I think in July about $600, because 300 have left for work, and they had some provisions.

'Q. How much would that be in addition to the $6,121?—A. $1 for each man.

'Q. How many for six months this year?—A. Of this year, $727.

'Q. How many steamship tickets from Italy for these men?—A. I think about 125 from Italy, and he gets $7.

'Q. That is only one company, how much from every company?—A. About 105 or $735.

'Q. In connection with these men he therefore makes pretty nearly $10,000 a year on them?—A. In one year? I know only these months.

'Q. Well, then, from October to October?—A. I suppose so.

'Q. That $20 referred to in Franco's letter was received by him because he wanted a position as foreman?—A. Yes.

'Q. How high does Mr. Cordasco go in his demands for money for getting positions as foremen?—A. Nothing, he wrote himself and sent $20 instead of $10 because he hoped to get work before some others."

In addition to the sums charged by Cordasco to these Italian labourers he was authorized by the Canadian Pacific Railway to supply them with food on their journey from Montreal to their destination, he received $5 per day for every day that he worked for the Canadian Pacific Railway, whether for looking after Italians or other work including the obtaining and forwarding of the provisions. He charged up the provisions to the company, who in turn charged them up against the men *pro rata*, and deducted same out of their first wages, paying these sums so charged by Cordasco to him. In connection with these charges the following evidence was given:

Mr. Skinner, who is labour agent for the Canadian Pacific Railway, and had charge under the superintendence of Mr. Burns, of the employment of all Italians, certifies the accounts of Cordasco from month to month.

He gave the following evidence:—

'Q. In addition to that, I see he supplies Italians going a distance with provisions?—A. He does.

'Q. These provisions are charged against their wages?—A. Yes.

'Q. Who checks the accounts for such supplies?—A. I check them.

'Q. How do you check them, what means do you take to see they are correct?—A. Well, the first thing I do is to see whether I think he has supplied enough or too much stuff for the parties leaving, and then I look over the prices charged for each item.

'Q. You look over the prices charged for each item, and ascertain if they are correct, by what means?—A. The only way to ascertain, I judge.

'Q. You understand he just charges the amount he pays for these articles?—A. I understand the articles are bought from him. He adds an amount for what he thinks a fair price.

'Q. Are the articles bought from him?—A. The articles are bought from him.

'Q. On your order?—A. On Mr. Burns' order.

'Q. You pay him for getting these things?—A. Oh, no, he is not paid for getting them.

'Q. Would you look at the items of March 15, 1904 (hands him Cordasco's account)?—A. March 15, yes, I see.

'Q. Services rendered in sending provisions to Westward train; it is O.K.'d, that is a $5 item?—A. That is not for Italian labour.

'Q. It is for Chinese; it is a charge against you; the only difference is that you did not get it back from the Chinese, but you did from the Italians. He charged $5 for that day. $54.05 for these provisions; look at the account?—A. Yes, $54.05.

'Q. He bought them for $37.95 the same day?—A. I am not aware.

'Q. There is an account produced by Mr. Cordasco; $16.10 made on that little item of $37.95. What means have you taken to find out what were the prices of the articles supplied to the Italians and Chinese?—A. I have taken no means, I have looked at Cordasco's account.

'Q. Without knowing whether they were reasonable or not?—A. I just went on my own judgment.

'Q. Look at the April account you passed. What is the charge he makes there for shipping men?—A. Charges $5.

'Q. For that he gives provisions on that date?—A. He only gets $5 for shipping and loading provisions.

'Q. That is all he is entitled to, that is bread for your men. Now, what is the account for provisions?—A. $152.

'Q. As you see (showing account) the original cost of these various items was $94.72?—A. I never saw that before.

'Q. But could you not have found it out from any person doing business in Montreal. These Italians had to pay $152 for what was purchased for $94.72?—A. At the same time I gathered from this statement that they were not paying any more than they would be obliged to pay for themselves.

'Q. The Canadian Pacific Railway were paying Mr. Cordasco for acting in the interest of these Italians. They were your employees; now, what means did you take, as a servant of the Canadian Pacific Railway to find out that you were getting articles at the lowest price for these men?—A. In reply, I can only say I scanned Cordasco's account item by item, and if the items were reasonable I passed them.

'Q. Without knowing what they could be bought for elsewhere?—A. Yes.

'Q. So you see he gets $5 a day, and how much from the unfortunate people who have to pay for these supplies going out west?—A. $152 less $94.72, $57.28 he gets out of that.

'Q. Don't you think that is a little more than fair, he is your servant, he has to supply these articles, has he not?—A. I quite see the point.

'Q. Why should you allow him to make money out of these men?—A. It is not a great hardship, the cost to the men.'

In explanation of these accounts Mr. Burns in his evidence stated :—

'As regards sardines, I went into the matter once, I think last year. I spoke to Cordasco. He admitted having charged too much, and he put the price at ten cents, which gave still a good margin. I do not know what he charged; I did not care, he was looking after the matter, and if he was not giving away the goods for nothing it would simply mean he had a good business contract, and the cost of the goods supplied by him to the Canadian Pacific Railway I had nothing to do with except, to go over his accounts and to see the retail prices at the grocery stores were not overstepped.'

'Q. You pay Cordasco $5 a day during the time he is employed in any work for the Canadian Pacific Railway?—A. Yes.

'Q. The work consisted of getting provisions for these men when necessary?—A. That is separate.

'Q. He charged $5 for supplying provisions?—A. I had noticed it in the accounts.

'Q. Supposing now that instead of Cordasco getting provisions you got them, would you charge a profit?—A. None whatever.

'Q. He is, in your position, gets paid for that work?—A. I do not understand it that way.

'Q. That is, he not only gets $5, but charges a profit on everything he buys?—A. Not the Canadian Pacific Railway.

'Q. It is far worse if it is not the Canadian Pacific Railway; it is against these unfortunate Italians who do not know anything about prices?—A. I do not know if the prices are not excessive.

'Q. There should not be one cent profit if Cordasco was paid for the service?—A. That is one way of looking at it. I always regarded that as his prerogative.

'Q. You were quite willing that these Italians should pay double prices for these things?—A. He has a right to make some profit.

'Q. There is an account for $152, how much did he actually pay; the statement is added there?—A. $94.72.

'Q. Now, then, supposing we pass from them to the Chinese, the Canadian Pacific Railway would pay for the provisions for the Chinese out of their own pocket, is not that so?—A. Yes, sir.

'Q. The provisions are charged against the Chinese on the same principle?—A. Yes.

'Q. You pay him $5 per day for providing these provisions, look up the amount if you are not sure?—A. Yes, sir.

Q. How many hundred dollars during the year has Mr. Cordasco made in this manner?—A. I would like to look over the accounts for information.

'Q. Will you kindly go over these accounts and find out what he has charged for provisions to Chinese and Italians and for services?—A. I will, Your Honour.

* * * * * *

'Q. Have you gone over the statement for the last year to see what is the total amount charged for provisions?—A. I have taken all of 1903 and 1904 to date.

'Q. From the beginning of 1903 to June, 1904, how much does it amount to?—A. $6,453.41.

'Q. Would that be paid by Italians only or by Italians and Chinese?—A. This would be by Italians and Chinese; the latter does not amount to a great deal.

'Q. Have you gone over the profits that were charged on these provisions by Cordasco?—A. As far as I could.

'Q. What would be the percentage?—A. About 63 per cent.

'Q. What would that amount to on the whole?—A. About $3,600 or more.

'Q. Nearly $4,000?—A. $3,800; I will go over it again.'

Mr. Burns in his examination with reference to the payments made by the labourers to Cordasco stated that he understood Cordasco received $10 from each foreman, and from $1 to $2 from each labourer; that he investigated certain complaints of greater charges than these having been made, but that he believed Cordasco in preference to those making the complaints. The evidence shows, however, that Mr. Burns is not candid in his answers relating to this matter. On March 21, 1904, Mr. Cordasco wrote Mr. Burns a letter in which he stated: 'I charged Italian labourers sometimes $3, sometimes $2, sometimes $1, sometimes nothing; same thing for Italian interpreters, according to reason. I charge each of them from nothing up to $15, according to ability of them if they are able to pay.'

Mr. Burns wrote a letter to Mr. Timmerman, general superintendent at Toronto, on the 17th May, 1904, in which Mr. Burns stated:

"Under the present condition, starting from this year, all Italians may be engaged through Cordasco's office for the Canadian Pacific Railway without the payment

of a single cent, but in the past as indicated in Cordasco's letter on April 29th he has not been out for his health, and I have no doubt has exacted his fee as is usual in such cases not only in Montreal, but all over the country, as probably you are aware."

Mr. Burns made a new arrangement with Cordasco in April, 1904, in consequence of a suit against the railway company brought by some Italian labourers for the return of the amounts charged by Cordasco, in which Judge Curran of Montreal held that the company were liable owing to the fact that their agent, Cordasco had received the moneys and had not given employment. The new arrangement was that Cordasco was not to charge the men anything whatever, but that the company would pay him the sum of $1 for each man he employed for them. Although this arrangement was made in April, Cordasco still continued up to the commencement of the inquiry to collect up to $4 from each labourer, and this with the knowledge of Mr. Burns.

The evidence shows that Mr. Dini charged $1 only for obtaining employment for men, and nothing for foremen. Other intelligence agents charged from $2 to $3 for obtaining men, and no charge where employment was not given. It was also shown by evidence that Cordasco charged a fee from the labourers on giving them a free pass provided by the company.

Results of the Immigration upon Canadian Workingmen.

The evidence shows that the arrival of such a large number of immigrants interfered with the wages of the working men in Montreal. Mr. Honore Gervais, member of Parliament, representing the Division of St. James, Montreal, being asked what in his opinion would be the results on resident labourers in Montreal of the bringing in of such a large number of labourers stated:—

"I would think it would be most detrimental to the interests of resident labourers, because having to accept fixed salaries they have to make a scale that would cover the cost of living, and by the coming of these Italian labourers in such large numbers without a moment's warning to our shores, the scale of wages is destroyed because there are too many men willing to work at reduced rates, and thus our resident labourers are bound to suffer. Accordingly, on account of the sudden fall or decrease in wages generally, it is most detrimental to the workmen of Canada, to the workmen of Montreal, that at any moment some ten thousand men shall be thrown on our shores and come in competition with our workmen resident in Montreal."

Mr. Hannaford, engineer of the Montreal Street Railway Company, stated that they had 300 Italians in their service, and that they paid the ordinary labourers 12½ cents per hour, and that the sub-foremen received as high as $1.37 a day, that the rate of wages in Montreal to ordinary labourers in other departments is $1.50 per day, that they have no trouble in obtaining labourers; and in answer to the question "Well, you can get any number you wish at $1.25 per day," he replied, "They come to us, we do not have to look for them."

Mr. J. B. Mack, upon being asked: "Will you state your opinion of the effect on the scale of wages in a city like Montreal, caused by the bringing in of large numbers of foreign labourers at one time," answered, 'The effect of bringing in large numbers of foreign labourers, in my opinion, would be a reduction in wages, and probably pro-

longed hours of labour. When the labour market is flooded wages are not liable to increase, rather to decrease, and it is a benefit to capitalists or companies who employ large numbers of unskilled labourers to have a large immigration in order to have work performed at less cost.

'Q. Can you tell the commission of certain classes of labour wherein the wages did go down?—A. I have been told that in various classes wages have been reduced.'

Mr. Charles Hodgson Osler, superintendent of mains and services in the Montreal Light, Heat and Power Company, stated that out of 250 or 260 men employed by the company 100 were Italians.

'Q. You remember the influx of Italian labour last April and May?—A. Yes.

'Q. Would that affect the scale of labour for labourers?—A. Yes, I think it would.

'Q. These Italians only received from $1.25 to $1.35 a day?—A. Yes.

'Q. Are there others besides Italians only receiving that amount?—A. Yes, quite a number.

Q. Who are they?—A. Well, some English and French speaking men.

Q. You get as many men as you require on your work without difficulty?—A. We have done it so far, we have had no trouble at all; we had a little trouble last year, but we increased the wages to $1.45. We got lots of men this year at $1.25, whereas we had to pay $1.45 last year.

Q. I suppose there are the same number employed this year as last?—A. No, I have nearly double the quantity this year.

Q. The wages then dropped 20 cents?—A. Yes, there was a large influx of men, and we took advantage of labour as it came in.'

Findings and Recommendations.

I am of opinion the evidence fully establishes the fact that the large number of Italian immigrants who arrived in Montreal in the early part of 1904 were induced to come to this country through the efforts put forward by Mr. Cordasco representing himself to be the sole agent of the Canadian Pacific Railway Company and requiring 10,000 men, offering them good wages and immediate employment, and that these inducements were made by means of advertisements inserted in *La Patria Italiana* and *Corriere del Canada*, two newspapers published in the Italian language in Montreal, which he forwarded to Italy, and through the assistance of steamship agents in Italy with whom he corresponded on the subject.

Mr. Burns and Mr. Cordasco were most intimate in their dealings in connection with the employment of Italian laborers. This was so noticeable as to cause adverse criticism of Mr. Burns, it being claimed by some that he was financially interested with Mr. Cordasco in the employment of such laborers; this was denied by both. In my opinion, Mr. Burns had control of Mr. Cordasco's actions and was well aware of the sums that were being paid by the men employed for the Canadian Pacific Railway Company as also for the provisions supplied, but instead of preventing the collection of these extortionate sums, he refused to interfere when requested to do so.

Mr. Burns states that in December, 1903, he was told in New York by an agent that 10,000 men were being brought into the country for the Grand Trunk Pacific Railway, and that he believed this to be the fact. If he were so informed, he could by inquiry and the use of the most ordinary intelligence, have ascertained this to be a

false statement. Whether it was in consequence of this statement or not, Mr. Cordasco appears to have at that time commenced his efforts as above described to obtain 10,000 men, and this without having any agreement with the Canadian Pacific Railway Railway Company or any other employers of labour for the employment of men.

In my opinion, he so acted with the knowledge that these men must apply to him before obtaining employment on the Canadian Pacific Railway, and with the object of compelling them to pay him the large sums it is shown he received.

His dealing with these unfortunate men after their arrival in Montreal in demanding and receiving money on the promise of immediate employment, and afterwards refusing to return same when he could not furnish them with employment, indicates that his main object in inducing these immigrants to come to Montreal was for the purpose mentioned, and this he was enabled to do by Mr. Burns refusing to employ any Italians unless through him.

By obtaining steamship agencies he expected to be the better able to carry out his object; in obtaining these agencies he was assisted by Mr. Burns.

His evidence as to Boccelli's dealings above set forth indicates the manner in which he intended to use his position as steamship agent.

In my opinion, the city of Montreal should pass a by-law similar to that enforced in Toronto respecting intelligence offices, which provides that every person who keeps an intelligence office for registering the names and residences of and giving information to or procuring services—labourers, workmen, clerks or employees for employers in want of the same, or for registering the names and residences of and giving information to or procuring employment for domestic servants, labourers, workmen, clerks or other persons seeking employment—should procure a license before being permitted to carry on that business. The by-law provides as follows:—

'INTELLIGENCE OFFICES.

19. 'Every keeper of an intelligence office shall keep posted up in a conspicuous place in his office, as shall be determined by the chief constable, his license, and also a copy of sections 19 to 23, inclusive, of this by-law, which shall be supplied to the licensee by the chief constable at the time of issuing the license .

20. 'Every person licensed to keep an intelligence office shall keep, in a conspicuous place on the outside thereof, a sign showing his name and indicating his office hours.

21. 'Every person licensed to keep an intelligence office shall keep a book, which shall be supplied to the licensee by the chief constable at the time of issuing the license, in which the licensee shall enter, at the time of application, the name and residence of any person who may apply for employment or who may make application to be supplied with any clerk, servant, labourer, workman other employee, and also any and all sums of money which may be received from any person for any such service ; and such book shall at all times be open to the inspection of the chief constable, or any inspector of police, or any other person in the employ of the police commissioners.

22. 'Every person licensed to keep an intelligence office shall be entitled to receive at the time of the application the following fees and no more:

'(1.) From every male applying for place or employment as servant, or labourer, or workmen, a sum not exceeding 50 cents; as clerk or skilled employee, coachman, butler, rockman, timekeeper or teamster having a team, $1 ;

'(2.)From every female applying for place or employment as domestic servant, or person employed by the day, a sum not exceeding 25 cents ; as governess, clerk or skilled employee, housekeeper, or cook, $1;

'(3) From every person making application for a male domestic servant, labourer or workman, a sum not exceeding 50 cents; for a clerk or other skilled employee, coachman, butler, rockman, timekeeper, or teamster having a team, $1;

'(4.) From every person making application for a female domestic servant, or person employed by the day, a sum not exceeding 50 cents; for a governess, clerk or other skilled employee, housekeeper or cook, $1;

'for which sum a receipt shall be given at the time of making application to the person so applying; and in the event of no place or employment being obtained as applied for, or no employee being obtained as applied for, within one week from the date of application, one-half the fees so paid shall be refunded on the demand of the person producing the receipt.

23. 'Every person licensed to keep an intelligence office who shall directly or indirectly, or through any person, make or use any improper device, deceit, false representation, false pretences, or any imposition whatsoever, for any improper purpose, or for the purpose of obtaining a fee, money or gratuity, or other thing of value from any customer, person or patron, or who shall be guilty of extortion, or of taking or demanding any article or thing, or any fees except those authorized by this by-law, shall be subject to the penalties of this by-law.

PENALTY.

'Except as hereinafter provided, any person convicted of a breach of any of the provisions of this by-law shall forfeit and pay, at the discretion of the convicting magistrate, a penalty not exceeding the sum of fifty dollars for each offence, exclusive of costs; and in default of payment of the said penalty and costs forthwith, the said penalty and costs, or costs only, may be levied by distress and sale of the goods and chattels of the offender; and in case of there being no distress found out of which such penalty can be levied, the convicting magistrate may commit the offender to the common jail of the city of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.'

Mr. Gervais, M.P., in his evidence, stated :—

'The class of immigrants that Canada wants to be brought here are picked up by the proper officials of the Dominion government, by the proper agent of our government, and I do not recognize the right of any private individual to speak in the name of Canada to the foreign labourer, and induce them to come here. We have our proper officials, who will not deceive the foreign labourer, and consequently, I would say that these private enterprises bringing poor men to Canada should be checked. Special legislation should be incorporated defining those who shall have the right to represent Canada abroad, because the good name of Canada and the credit may be imperilled.' Upon being asked the question, 'Have you given this subject enough attention to state definitely what in your opinion such amendments to the law should be ?' He replied, 'Well, yes, we should have some clauses inserted in our immigration laws, for example, empowering our quarantine officials to examine what is the standing of the immigrants coming into Canada, and before they have been brought to Canada, and rejecting those who are unfitted, and at the same time making it necessary for the speculators who have been deceiving these people to send them back.'

Count Mazza, in his evidence, was asked :—

'Q. Then, it is your opinion that there should be some system to prevent the indiscriminate immigration ?—A. I told you my idea is not to allow these private individuals to make a business of that, and to prohibit such action.'

I am of opinion that legislation in the line indicated by Mr. Gervais should be enacted.

Conclusion.

I am pleased to report that as a result of my inquiry I have received information from Mr. Cordasco that he has repaid the sum of $2,017.25 of the moneys received by him from the Italian labourers, although in his letter to me of August 2, 1904, he states : 'This was the first year I instituted the system of registration, and I may add that it will be the last, as I intend to carry on my business without registering any men whatever.'

I have much pleasure in acknowledging the valuable services rendered during the inquiry by Mr. H. M. Mowat, K.C., counsel for the government, and of Mr. J. M. Viglino, Italian interpreter, and of Mr. R. Candori, the secretary of the Italian Immigration Aid Society.

I have the honour to be, sir,
Your obedient servant,

JNO. WINCHESTER,
Commissioner.

APPENDIX

MINUTES OF EVIDENCE

OPENING DAY'S PROCEEDINGS.

MONTREAL, July 21, 1904.

PRESENT :

His Honour JUDGE WINCHESTER, *Commissioner.*

H. M. MOWAT, Esq., K.C., *Counsel for the Dominion Government.*

JEROME INTERNOSCIA, *Counsel for the Italian Immigration Aid Society.*

A. J. WALSH, *Counsel for Antonio Cordasco.*

The COMMISSIONER—Gentlemen, under this commission, issued to me on June 30, 1904, and signed by the Deputy Governor General, Mr. Justice Robert Sedgewick, I now open the investigation into the question of the immigration of Italian labourers to the city of Montreal.

The Commission is read by His Honour.

The COMMISSIONER.—This inquiry is now open, and I will proceed to examine witnesses.

Mr. MOWAT.—As in another branch of a matter referred to Your Honour, I appear for the government of Canada in this branch of inquiry. There are two other gentlemen here, Mr. Jerome Internoscia, on behalf of the Italian Immigration Aid Society, and Mr. A. J. Walsh, who is watching the case on behalf of Mr. Antonio Cordasco, As a matter of historical evidence, I proposed to call before Your Honour at first two gentlemen who would have shown the embarrassment caused to the municipal authorities here by the large number of Italians brought in during the month of April last, and also as to the distress created among them by the fact of their being penniless and in having work promised them. These two gentlemen are Mr. Laporte, Mayor of Montreal, and Mr. Honoré Gervais, M.P., but unfortunately both these gentlemen, through press of other most important business, are unable to attend for the moment, and with Your Honour's permission, I will ask to postpone calling them until Saturday next.

Mr. ALBERTO DINI, being sworn :

By Mr. Mowat :

Q. How long have you resided in Montreal ?—A. About 32 years.

Q. How long have you been conducting, among other things, an employment agency for labourers ?—A. I think, about ten years.

Q. I see in this copy of *La Patria Italiana* your advertisement. This is it ? (Hands paper.)—A. (Looking at paper.) Yes.

Q. You can tell me whether or not this would be a good translation into English of that: 'Great number of labourers required ; work guaranteed at good wages. Apply to Dini's bank, 2026 St. Catherine's street, Montreal' ?—A. Yes. Well, look here, some employees from the paper came home one night and asked me.

Q. And you were also advertising the same thing in the papers in Italy ?—A. No, sir.

Q. There was another advertisement put in by you. This is the translation I have got; you can tell me whether it is right or not:—'For the coming spring.—Mr.

Dini announces that there will be a very large demand for perhaps 10,000 labourers for the coming spring. Italian workingmen know that Mr. Dini is the representative of very many construction companies and also are aware of the proverbial integrity with which he has in the past proven, during the many years he has resided in Montreal. Every one who wishes to be assured of work at good wages from the spring to the coming winter can go from the present time and be inscribed at the banking office of Mr. Dini, 2026 St. Catherine street' ?—A. What paper; I have put it in no paper. That is all I know.

Q. This is an advertisement in *La Patria Italiana ;* that is your name?—A. I do not know who put it in.

Q. See there is a similar advertisement put in by Mr. Cordasco?—A. I cannot say; a man coming home, employed by *La Patria Italiana* say, you will see Cordasco wants about 10,000 men, and I told do what you like. I do not give number; the paper come out and I see the advertisement.

Q. It was not by your authorization, you did not authorize it?—A. No, sir. What papers say that?

Q. *La Patria Italiana.*—A. Same paper?

Q. Yes. What excuse had you, Mr. Dini, for giving an advertisement calling for 10,000 Italians?—A. I have not told to put in 10,000. I told you they will reply to Cordasco's advertisement. I never told to put 10,000 or 5,000.

Q. What was Cordasco's advertisement?—A. I think about 10,000.

Q. I suppose you wanted to show you were not a lesser Italian agent?—A. I think they were on the same list.

Q. You did not want to admit that you were a less extensive agent than he was? —A. I do not understand.

Q. You were just as good an employment agent?—A. I think so; I think I am better.

Q. So far as numbers, you were not going to be behind?—A. No.

Q. But you had not any particular works for railway or construction companies in your mind?—A. No, sir.

Q. Are you also vice-consul ?—A. No.

Q. Were you at one time vice-consul here?—A. No.

Q. You also keep a bank ?—A. An employment bureau or steamship agency.

Q. How many Italians do you think you have succeeded in bringing here?—A. I did not bring any at all.

Q. In the last 10 years?—A. I do not bring them, they come themselves.

Q. Through your advertisements, your instrumentality, through your efforts, through your advertisements?—A. I never advertise at all.

Q. Mr. Cordasco says he brought in 12,000 in three years?—A. Cordasco? I do not know what he do. I have not bring men here at all.

Q. Had you agents in Europe?—A. No, sir.

Q. Are you sure of that?—A. I am sure.

Q. Did you not inquire in England or in Italy, had you any correspondents?—A. No, sir. I have no correspondents at all, by that line of American.

Q. Now, try and remember ?—A. I am sure I tell the Italians some lots of time to be very like going west, probably will be here, and I have looked out for lots of men to come, but I think three or four years, in 1898, about 5,000 or 6,000 Italians come from Chiasso.

Q. Are you agent for any steamship companies in Italy?—A. Well, I got agency in New York for North German Lloyds, Hamburg-American, Anchor Line, and two Italian lines, one of them called La Veloce and two others.

Q. In Barcelona?—A. No.

Q. They call at ports in Italy?—A. Yes, sir.

Q. I want you to be sure about your answer. I do not want you to answer hastily to me. Are you an agent for emigration societies in the old country, such as the

Anonymous Emigration Society called 'La Svizzera,' with headquarters at Chiasso, Switzerland?—A. No, sir.

Q. What is this?—A. I tell you what this mean.

Q. Read and translate into English. (Hands him document.)—A. That is my name. On the one side is the following: 'Signor Albert Dini, ufficio di collocamento, N. 2026 St. Catharine Street, Montreal.' And on the other is: 'Sig. Alberto Dini, volgiate ben accogliere il porgitore del presente, raccomandandoui di valere allo stesso in quanto gli potesse occorrere. Ringraziandovi dell'appoggio che presterete al medesimo, con ogni stima ci rassegniamo. Società Anonima d'Emigrazione, "La Svizzera." Translation being as follows: 'Mr. Alberto Dini—Will you be good enough to receive the bearer of this and render him such assistance as you may be able to? Thanking you for any trouble you may take in the matter and with every mark of esteem.

'The Anonymous Emigration Society,

"LA SVIZZERA."

Q. That is given to persons?—A. Given to persons coming from Chiasso to Montreal.

Q. That is, they are recommended to you by the 'Societa Anomina d'Emigrazione' at Chiasso?—A. Yes.

Q. What you told me a minute ago was hardly correct; you have given authority for these to be given to introduce men to you?—A. Well, sometimes in the late summer labour is very scarce, and they want to go around to Quebec. When the ship arriving in Quebec and get labourers and he write to me. He say I know you have a good name, and if I like I recommend to you.

Q. And that is what this card is for?—A. Yes.

Q. Have you communication with this Italian Immigration Aid Society?—A. I am vice-president.

Q. Has Count Mazza any connection with it?—A. Not as a member.

By the Commissioner:

Q. Where did this card come from?—A. From Chiasso.

Q. How did it get to Chiasso?—A. I do not know; probably the society gave to him.

Q. What society?—A. I never print it. I have no man there at all.

Q. You think they go to the expense of printing the cards just to please the men?—A. I cannot say.

Q. Did you not print this in Canada?—A. No.

Q. Did you not send this over to Chiasso?—A. No.

Q. Do you know any one in Chiasso?—A. Well, I see one man when I was in Italy last year. I say to one or two agents, if you send these men recommend to me. I can promise nothing if men come to Canada otherwise. I go and see that man you consult in Dolovico. I saw him and another in Chiasso.

Q. Was that Ludwig?—A. Yes.

Q. Is that a steamship agent there?—A. I was five months in Switzerland.

Q. What agreement did you enter into with Ludwig about bringing men over from Italy?—A. No agreement. I told him just a few words. He says: 'Dini you are here I am glad to meet you. I think you do the best you can for the men. I give them your address because the men complain when arrive in Montreal somebody else take them.' He says, he repeats, he complains, and that is reason why I will send to you because there is no complaint at all.

Q. How long ago was that?—A. In 1902.

Q. About eighteen months ago?—A. Yes; in April.

Q. How many men came across since this was reported to him?—A. I cannot say.

Q. Well, you have an idea?—A. I do not think there should be many coming to see me.

Q. But you can say about how many; were there two or three hundred?—A. I don't think more than two hundred.

Q. When do they come?—A. Generally come in spring and summer.

Q. How many this last spring?—A. This spring?

Q. Yes?—A. I cannot tell.

Q. Do you keep a record of all men coming?—A. No; men come and show me card; I say I will see if I can get work. I keep no record.

Q. How much did you pay for printing this card?—A. Never paid anything.

Q. Where was it printed?—A. I do not know.

Q. Did you not bring these cards over to Italy with you?—A. No, sir.

Q. Nor any card at a later date?—A. No, sir.

Q. Did you send them over?—A. No, sir.

Q. Then how many men came to you this spring from Chiasso?—A. I cannot tell exactly; probably 100, probably 200.

Q. Perhaps 200?—A. I do not think more.

Q. Have you the names of those who came to you?—A. No; I do not take the names at all.

Q. You do not take the names down at all?—A. No, sir.

Q. How many Italians were there in Montreal last May?—A. I cannot say.

Q. Well, you have a pretty good idea. I only want to know how many you suppose?—A. Arrived from Italy?

Q. I do not care from where?—A. Some say 5,000, some say 10,000. I do not know. I never counted. I do not think there were more than 6,000 or 7,000.

Q. They were all Italians; had no work?—A. No work.

Q. Were there many of them that had nothing to eat?—A. Well, I cannot say; they would be very few.

Q. How many?—A. I do not know.

Q. One thousand?—A. No, sir. I do not think over 100. I think everyone had money.

Q. You think all had?—A. Yes.

Q. How many were helped by the city authorities?—A. Well, I do not know.

Q. How many did you help?—A. None at all.

Q. You were getting work for them?—A. Yes.

Q. You never gave them a loaf of bread?—A. Sometimes I thought necessary to help, gave 25 cents.

Q. You have been keeping an employment bureau for the last ten years. Will you tell me exactly how that bureau is carried on; how do you conduct your business?—A. I have got an employment office, bank is name known to Italians, and supposing an immigrant he comes——

Q. Any conditions? What do the immigrants do?—A. Nothing; he come there and ask have any work.

Q. What do you do then?—A. I tell him yes if I have work. I try and send him, and if not he have to wait.

Q. How do you find out if there is any work?—A. I write to several, to contractors, to employers, to Grand Trunk if they want labourers, and if they want ship them.

Q. Have you any of these letters you wrote to the Grand Trunk?—A. Well, letter not here; I have one or two letters here.

Q. Let me see them; have you them?—A. I write my friends in department, and department has write to me.

Q. This is a letter from Mr. Stephens, Montreal. October 7, 1903, he writes to you:—

'Dear Sir,—Your letter of 23rd instant to Mr. Hobson has been referred to me for a reply, and I have placed the same on file for reference when construction begins. At

present we are engaging nothing but engineers on location, and of course it is too early to consider the question of Italian labour for construction purposes.

'Yours truly,

'J. R. STEPHENS.'

Q. So you did not get an order?—A. Yes, sometimes I got a little order for 25 or 40.

Q. On last November you applied to be appointed labour agent for the Grand Trunk?—A. Yes.

Q. And Mr. Hays writes to Mr. Stephens that it is too early to employ an agent. This is dated November 5, 1903, that is with reference to the Grand Trunk Pacific. So nothing came out of that?—A. No.

Q. Do you represent any contractors?—A. No, I got friends like D. J. McDonald; he is a friend of mine.

Q. Let me understand how many contractors do you represent—A. I cannot say about all.

Q. How many?—A. 10 or 20. When the contractors want labour, they got my address, they write or telegraph to me if I have any Italians to send them.

Q. How many have you sent out this spring?—A. I think about 1,000.

Q. Where?—A. All over.

Q. Have you got a list of the numbers?—A. I don't got any list. I will make a list of the men I send out. I put all the names on it and give it to the foremen who go with the men.

Q. How much do you charge for getting employment?—A. $1.

Q. Who pays the dollar?—A. The labourers.

Q. How much do you charge the foremen ?—A. Nothing.

Q. Why, how is this they get better pay?—A. I think the foreman has lots of trouble to get men, to try to have men, I never charge a cent for the foremen.

Q. The only charge you make is $1 for the labourers?—A. Yes, sir.

Q. How much do you charge the contractors?—A. Nothing.

Q. Nothing at all?—A. No, sir.

Q. Can you tell me how much you received this spring?—A. Well, I sent out 1,000, I make $1,000.

Q. Up to the middle of July?—A. Before July.

Q. When did you start sending them out?—A. I think in May and June.

Q. And you have met other men from May to the present time?—A. Yes.

Q. How many others are there in Montreal engaged in this work of employing Italians?—A. I don't know, there are five or six.

Q. Will you give me the names?—A. One Italian.

Q. Give me Italians ?—A. Cordasco.

Q. We all know Cordasco, anybody else?—A. Another Italian somewhere, but don't know his name.

Q. What about Monetta?—A. I think some foremen are engaging labourers besides bureau.

Q. Never mind the foremen, I want the bureaus?—A. I don't know name.

Q. You don't know the bureaus?—A. Well, one in St. James street, near St. Peter street. Another on McGill street.

Q. Do you know the names?—A. No, sir.

Q. You are the oldest one in the city?—A. No.

Q. You do not know the names of the owner?—A. I do not care about the English.

Q. I meant an Italian?—A. There is one opened this summer, I think Monetta.

Q. I mentioned his name, in Montreal?—A. Yes.

Q. Who is the man representing the Italian paper that came to you and asked you for an advertisement?—A. Di Rosa.

Q. Where does he live?—A. He left the paper, I don't know if he is in town.

Q. Is he the proprietor of the paper?—A. No, he is employed by the paper.

Q. Do you know where he lives?—A. No, sir.

Q. What large book did you produce to me the other day?—A. That is for addresses. You see when I send men out I give envelopes No. 8 and No. 7. No. 7 is addressed to my care, and if used by the person and letter come to me, and if coming to the country I will change the address and I will send it to the country.

Q. You have a printed envelope and then you have a smaller one?—A. Yes, No. 7 and No. 8.

Q. (Judge looks at envelope). This is No. 7 (hands to witness)?—A. Yes, sir, I give it to the labourer.

Q. You give it to the labourer?—A. Yes, sir.

Q. There is a blank space above here?—A. Yes, after letter come to my office I put place where he lives in the country and I mail it again.

Q. Where does this letter go, to Italy?—A. Yes, sir.

Q. In letter?—A. In letter written by immigrant to family and he encloses this.

Q. And family will write name above yours and send it out and you get it and forward to the address of the labourer?—A. When man goes to country, writes to me and give address. I put in book any change. He write, I change address.

Q. This is No. 8 envelope?—A. Yes.

Q. Do you give this to the labourers, too?—A. Yes.

Q. This large one they write to friends in Italy?—A. Friends and family.

Q. And enclose with their letter a No. 7 envelope?—A. Yes.

Q. Is that all you do for the labourers?—A. Yes.

Q. And you receive all their letters in your bureau?—A. Yes, and forward them if no call at all.

Q. If the labourer does not call you forward?—A. You see some are here in town, they come themselves to get letter and other ones gone, but will write to me and I will address the letter to place where labourer is.

Q. Do you give them any letter paper?—A. No.

Q. Any cards that you give them?—A. No, sir.

Q. Do you give them any small amounts?—A. No,

Q. How much do you charge these men for this work you do for their benefit?—A. Nothing.

Q. Nothing at all?—A. Nothing at all.

Q. The dollar covers that?—A. Yes.

Q. And do you say that you do not charge anything to each contractor or the person employing these men, or the company?—A. No, sir.

Q. How many Italians are there without work in Montreal to-day?—A. Well, I don't know there are many. I think, sir, there are very few.

Q. 500?—A. No, I cannot find even 100.

Q. All gone away?—A. All at work. I shipped 40 men last night, I have 40 to-night, I don't know whether I can get. I sent to Grand Trunk. Men leave the work here and men ask street car company $1.25 or leave and go to country. I don't think there are 100 men without work in town.

Q. How many have you shipped out for the Grand Trunk this year?—A. About 200.

Q. How many for the Canadian Pacific Railway?—A. None I do not send for them, the Canadian Pacific Railway do not come to me at all.

Q. Have you ever sent out any for them?—A. I have sent about two or three years ago.

Q. That is the last you sent?—A. Yes.

Q. Did you charge the Canadian Pacific Railway for sending men out?—A. No, sir.

Q. Never?—A. Never a cent.

Q. Any charge to Grand Trunk for sending men out?—A. No, sir.

Q. The only charge, you state, is $1 for the men and you find employment?—A. Yes and not pay, sometimes I cannot charge $1. Late in summer when men are scarce I cannot charge a commission. I must send men for nothing.

Q. How many of that class have you sent out for nothing ?—A. Well a good many.

Q. How many this year ?—A. Well this year I do not think I sent many, lots of time it is easy to get Italians.

Q. Well it is hard work when you cannot get them ?—A. Yes.

Q. Who pays you for that hard work ?—A. I never get paid.

Q. For this hard work ?—A. No, sir.

Q. This is rather peculiar when you work harder you get less pay ?—A. If man is scarce have asked you must pay $1.

Q. How many came this year, 10,000 or 12,000 in May, how many came from the United States ?—A. Well, I don't know.

Q. About how many ?—A. Very hard for me to give estimate, I don't have. From the old country there come, well, this spring not more than other years.

Q. You think not ?—A. No.

Q. Where did the others come from ?—A. From the States.

Q. Which was the greater, from the States or from the Old Country ? Would there be more than one half from the States?—A. Well, I cannot say.

Q. Well, I know that you cannot give the exact number, but you are an intelligent man?—A. There are lots come from the States for one year off railways in States.

Q. Has work been stopped in the States?—A. They say so.

Q. That is what they say?—A. Yes.

Q. Not much work this spring?—A. No.

Q. What part of the States?—A. Down from New York and Boston.

Q. And other States?—A. Yes.

Q. Were there many of these men from the States who were in Canada before?—A. Every year they come from States and go back after work is done, and stay there during winter. I do not know. I think Canada is cold place.

Q. Is it colder than New York?—A. I think so. I think colder in Canada than in States.

Q. And that is one reason why they go back for the winter?—A. Yes.

Q. And come back in spring?—A. Sometimes come in spring. Come to Montreal I don't know.

Q. Have you any agent in the United States?—A. No, sir.

Q. Nor any agents in Italy or Switzerland?—A. No, sir.

Q. Not even Ludwig?—A. No, sir.

Q. He is your agent?—A. No, sir.

Q. How many men have you in your office to help you?—A. I have two clerks; two of my own sons.

Q. You do a larger bank business than most of them, do you?—A. Well,——

Q. Not a bank but a steamship business?—A. I get a good deal.

Q. How many prepaid passages did you sell since last December?—A. I think between 300 and 400.

Q. Who paid these passages?—A. Friends, cousins of the men come to me and ask what is the price of prepaid passage, and I tell the price of every company, and says I will get from Gennaro Veloce and other line.

Q. Any of your agents buy any?—A. No, sir.

Q. None of your agents buy any?—A. No, sir.

Q. Do any of the contractors or any of the railway companies buy any?—A. No, sir.

Q. You get paid your commission from the steamship companies?—A. Yes, sir.

Q. Not from those who buy?—A. No, sir.

Q. Is this all you know about bringing in so many Italians this spring? Tell me all you know about cases?—A. Well, I do not know. Men come and want to bring family, wife and children; some send prepaid to friends and to cousins.

Q. That is prepaid passages, but——A. Yes.

Q. But why did so many come to Montreal last March, April and May?—A. I don't know.

Q. Can't you give me an idea?—A. I don't know.

Q. Were you surprised at so many?—A. Well I think, I tell the truth, I do not think more than in 1903.

Q. Not more than in previous years?—A. I don't think we have so very many, and work started late, and all the labourers be here in bunch in May. In year before I thing work started in March and April. The Canadian Pacific Railway took as many as 1,000.

Q. How many?—A. Over 1,000. I saw no Italians at that time. When I returned I saw no person here.

Q. No one here on May 1?—A. No.

Q. That was two years ago?—A. Yes.

Q. You think there were no more this spring than the spring of last year?—A. That is my opinion.

Q. And the reason why there were so many seen at one time was that they were all in a bunch, work was late, and the number of men sent out to work was not as large as usual?—A. Yes.

Q. There was a large number working last year?—A. Yes.

Q. The works were all over the country going on extensively?—A. It was very hard to get men.

Q. You don't think that the reason was that extra efforts were being made to get men?—A. I think that labourer write to friends and family in Italy the truth. As soon as I come here I get work at $1.50 and $1.75 per day.

Q. How much do they get in the Old Country?—A. I think 25 or 30 cents a day.

Q. Living cheaper there than here ?—A. Yes.

Q. They would make more here than in Italy ?—A. Yes.

Q. A great many come out because friends write work was plentiful and wages good ?—A. Yes.

Q. What papers do you advertise in ?—A. I do not advertise at all.

Q. You advertised in a paper ?—A. For the bank, yes.

Q. Yes, and did you not advertise for labourers ?—A. Yes.

Q. I am not speaking about the number, but you advertise the bank as a labour bureau ?—A. Yes.

Q. You advertised in the *Corriere del Canada* ?—I don't know, I got advertisement about two or three years ago.

Q. Did you advertise in any Italian paper ?—A. No.

Q. New York paper ?—A. Yes, I have a little advertisement in three or more newspapers.

Q. When did you drop this advertisement?—A. I think about two or three years ago.

Q. Nothing this year ?—A. No.

Q. Or last fall ?—A. No.

By Mr. Mowat.—The advertisement in this paper, April 28 of this year, in *La Patria Italiana,* it says about the large number of labourers that is wanted.

The Commissioner.—To witness: Do you remember that advertisement?—A. In *La Patria,* I remember, yes.

By Mr. Mowat:

Q. These Italians came from Italy it seems, although they came from Quebec or Boston?—A. They came from New York, one line from Boston. Now from Quebec I do not know, because I have no prepaid.

Q. What is the proportion?—A. I think came very many from Boston and New York.

Q. From Boston or New York?—A. More in Boston than in New York.

Q. From company in Quebec?—A. Quebec.

By Mr. Internoscia:

Q. I wish to ask the witness as to his knowledge of the number of destitute Italians in Montreal. (To witness.) You have just stated that you were vice-president of the Italian Aid Society. Do you remember the meeting of May 2, you were present?—A. Yes.

Q. Do you remember at that time it was discussed by the board of management that we began by giving 30c. to destitute Italians to go and get meals, and later on the number was increasing so that we reduced it to 15c., and after that the number was so increased who were destitute that only a loaf of bread could be given. You were present when it was said that there were over 200 or 300 with nothing to eat?—A. I remember that, but in my opinion I tell if the labourers they have few dollars in pocket when we started to give bread to one to come before you gave proof have no money. You remember once you find four dollars and some cents in pocket and gave bread.

By the Commissioner :

Q. How many did you supply with food?—A. He says 500. If I remember well, report say 500, something like this, poor men who got bread.

By Mr. Internoscia :

Q. Another question. You did not suggest at the time any means of finding the exact number of destitute Italians. Were they too numerous to find out, was it possible to find out?—A. Certainly it is my opinion; I tell in the meeting to try and have clerk to see hire boss who say you must offer four or five dollars, and you will see if men have no money.

Q. Do you know, Mr. Dini, that this way of finding out was also tried, with the result that only five or six had money?—A. Yes.

By Mr. Walsh :

Q. Do you know that a great majority of these labourers would not accept positions out in the country, but were waiting?—A. I think this spring every labourer would take any work; not now but in the spring.

Q. As a matter of fact, did not these Italian labourers prefer long work?—A. They preferred C. P. R., to go west.

Q. Did I understand you rightly in answering Mr. Internoscia a few moments ago, did you mean to say that the Italians were not poor, but were simply making believe?—A. That is my opinion.

Q. Did you learn of certain facts connected with these men?—A. Certainly I remember I told about four weeks ago that I would give 500 bread. Men came to get bread, and one morning a man came to my office to get bread and his wife come back again. I said what is the matter, she said my husband he come here for bread, he tell me had $2.65 and he was robbed, and I come to find. He had $65 in money.

Q. Did you say that some of these people who went to get bread were not poor men?—A. Certainly. Many of them seemed to have money to spend in saloons.

By Mr. Internoscia :

Q. Out of the 500 how many had money? Can you prove how many?—A. I cannot prove, that is my opinion.

Mr. Rodolphe Candori, being sworn.

By the Commissioner :

Q. What position do you occupy?—A. As agent or clerk in the Italian Immigration Aid Society.

Q. How long have you been in that society?—A. About one and one-half years, since December 15, 1902.

Q. What are the objects of that society?—A. The object of the society is to help, as far as possible, all the Italians who come here, to find work for them, to help them in getting their wages when there is any difficulty in getting them, and to advise them; to do everything possible to make easier for them their coming here. Of course, directors, incorporators, &c.——

Q. Have you any agents in Italy for sending out emigrants?—A. No, sir.

Q. No agents in Italy?—A. No, sir.

Q. No agents in the United States?—A. No, sir.

Q. Only an agency in Montreal?—A. Certainly.

Q. How is it supported?—A. Supported by annual subsidy from Italian government.

Q. Any subscriptions from friends of the society?—A. No, somebody gives some moneys, but very limited amount.

Q. No public subscription?—A. Being only in office last year, we spent all the money allowed for helping Italians, and had to address ourselves to public charity.

Q. Did you advertise for immigrants?—A. No.

Q. Do you issue bulletins?—A. Well, we issued some. They were distributed among the Italians here to let them know the aims of our society, and to let them know that there was a society here for their protection.

Q. Where distributed?—A. Here in Montreal, at my office.

Q. Not forwarded to Italy?—A. Yes, forwarded to the Foreign Office in Rome, the one at Palermo and the one in Venice.

Q. Were these quoted in any Italian papers?—A. I never heard anything.

Q. Or any parts of them?—A. I never saw any.

Q. Have you got a copy of the last two or three?—A. Yes; there have been only two.

Q. So you say that these bulletins are distributed in Montreal and sent to the offices you mention?—A. Yes.

Q. Who prepares the bulletins?—A. The first bulletin I fully prepared myself, and second one by myself partly and by Mr. Internoscia.

Q. Mr. Internoscia is solicitor of your society?—A. He is solicitor, and at the same time one of the shareholders.

Q. Is it a stock company?—A. Yes, it is composed of 25 shares of $20 each, $10 cash down and $10 to be paid later.

Q. How much do you receive from the Italian government?—A. It has not been established yet, but we received for the first two years 5,000 francs, 5,000 francs for 1902-03 and 1903-04. So that this term will expire on June 30 of this year, and we expect to have 5,000 francs for the coming year. Besides that, as we wished to institute a fund for a house of refuge we sent to the Italian government and asked them for about $2,000 for what we needed. These $2,000 were sent to us, but when we started to take a house and to order the furniture, beds, &c., we had on our hands these destitute men.

Q. That was this year?—A. Yes. We had to buy instead the food of these people, and we spent more than one-half of the amount sent us for the house of refuge. We spent it for bread, and we do not know whether the Italian government will give us back the money we spent for bread.

Q. Never mind, you have done all for the best?—A. All right.

Q. What has been the amount of immigration during the last two or three years from Italy?—A. That is very hard to state.

Q. Are there no statistics?—A. The statistics from the Dominion government give it in part, but the information is difficult to obtain. If all immigrants would come from Italian ports or through navigation companies authorized by the Italian government it would be very easy to know that, as they are compelled to be *viséd* at the Italian ports, because no man can leave Italy who does not pass an examination so that he will not be rejected after arriving in America. Those men who have passed the prescribed age limit, or for any reason are afraid of being rejected in Italy, cross the frontier into Switzerland and go to Chiasso. But the Italian government kept its eyes open, and Ludwig, who is an agent for some of these doubtful immigration societies, was arrested in Italy for giving out notices contrary to our laws. I don't know exactly the time, but I think it was about six months ago, and he was fined 1,600 francs.

Q. For sending labouring men out?—A. Yes.

Q. How many men came in March, April and May, 1903?—A. In May very few. Work with the Grand Trunk Railway and Canadian Pacific Railway and other similar companies started very early last year. Although it was my first experience, I thought the work of the season very favourable. I remember that I saw in the middle of March last year lots who were going away.

Q. On work?—A. Yes, lots of them to the west.

Q. Although they came in they went out. How many came in?—A. Last year, altogether, the immigration has been 3,000, according to the statistics I have seen of the Dominion government.

Q. How many immigrants arrived in Montreal this year?—A. I think more than that. I think there have been passing through Montreal, coming partly from Canadian ports and partly from the American border, over 6,000.

Q. How many came to Montreal last May?—A. Not less than 4,000.

Q. Where did the larger number come from?—A. Well, I think that all these came from the north of Italy. We had a large immigration from the Venitian provinces this year, and this I think is due, partly to the advertisements that have been sent, because they are good men. They are picked men, and any railway company would be glad to have these men, because they are strong and even good looking.

Q. That is something new?—A. Yes.

Q. How many came from the States?—A. Lots, because since January those they call banks or labour agencies in Boston, Chicago and New York, were already asked to gather men to send to Canada for the opening of the season, so I think a very large number came from the States.

Q. Did more than one-half come from the States?—A. I don't think more than one-half.

Q. Did one-half?—A. Well, we have no count of these who may have come from the States to Montreal, but I think there were at least 4,000, at least 4,000, if not more.

Q. What was the condition of these men?—A. Well, the condition as it appeared to us was that at least one-quarter of them were destitute.

Q. Would that be about 1,000?—A. Perhaps, but I do not think it was that much.

Q. How many would you say?—A. From what I saw myself, it may have been 800.

Q. How many did the society you represent assist?—A. Since the month of January the increase was very small until the month of April, since the beginning of April the number increased enormously. Every day we had from 600 to 700 men or more applying for bread, but we did not give bread in this time, especially in May. When they came we distributed tickets with which to obtain bread.

Q. Who else assisted them besides your society?—A. I do not think anybody else assisted them.

Q. Did the city corporation assist them?—A. Not particularly, perhaps some private assistance.

Q. Did the city give any money towards their assistance?—A. Not for that purpose. We had from the city the sum of $200, payable $50 every three months.

Q. For the purpose of assisting?—A. For the purpose of assisting Italians who were needy.

Q. How many are there in Montreal to-day?—A. I do not think there are many.

Q. Are there any that require assistance?—A. They may be counted on the hand. There are several that are not young.

Q. I mean able to work?—A. Any able to work can get work.

Q. How many are there without work in Montreal?—A. I do not think practically there is anybody, but some come back from other works to the city and stay 10 days doing nothing and then find other work, and even those men who this spring had no work if you ask them to go to work now at $1.25 or $1.35, they will not accept, thinking that they will have a better chance at short notice.

Q. What is the Italian population in Montreal?—A. I do not think it may be said exactly, because in winter it will go as far as 10,000 when they return after working. In summer it may be a couple of thousand, that is children and wives, or labouring people and others that are settled.

Q. Are there many settled in Montreal?—A. I think nearly 2,000 with their families.

Q. Doing business?—A. Exactly.

Q. Then in addition to these, you think there were about 4,000 immigrants extra in May last?—A. Yes.

Q. And of these, 800 in needy circumstances and requiring assistance?—A. Yes.

Q. You think there is no one now?—A. Nobody now.

Q. Have you done anything to get men or immigrants to come to Canada ?—A. Oh, no, we never did anything. We never wanted to state to the government how many immigrants there were here, because in the begining they did not wait to work. We asked the head bosses approximately how many men they would require for the season so as to have a kind of control of this immigration and to state to the Italian government that such a company will be in need of so many men, and another company so many men. There would have been some control in our immigration, as in the event of the number of immigrants from Italy being larger than required the Italian government would have stopped it.

Q. What efforts did you make to ascertain the requirements of these companies?—A. Well, we applied to the management of these companies, but they declined.

Q. What companies?—A. The Canadian Pacific Railway, the Grand Trunk Railway, and others.

Q. Did you make any offers to the Canadian Pacific Railway?—A. We thought to supply all the men they might require for their works without any charge and explained to them what were the ends of our society, the beneficial character of the work.

Q. Did you state how many you could supply?—A. We stated we could supply any number.

Q. 10,000?—A. Oh, no. We never stated any number. This was not this year. Last year we stated only that we should have been called to supply these men to the company, asking how many they would require and we would have asked the Italian Government to send them over.

Q. Who is Mr. Marriotti?—A. Secretary-treasurer of the society.

Q. You remember his sending a letter to the General Manager of the Canadian Pacific Railway, in March, 1903?—A. Yes, we sent two, this might be one. (Looking at letter.) Yes, this is the one we sent.

Q. Have you got the second one?—A. Well, I may give you a copy.

Q. If you can find the copy, I would like it?—A. Yes, sir.

Q. Is that the answer that was received. (Showing him answer)?—A. Yes, I remember this answer.

The COMMISSIONER reads:

MONTREAL, March 5, 1903.

'D. MCNICOLL,
'General Manager,
'Canadian Pacific Ry. Co., City.

'DEAR SIR,—We noticed in yesterday's *Star* that your company and sub-agents fear not to be able to secure a sufficient number of labourers to carry on all the esti mated work for the coming season.

'Two months ago we applied to your company, proposing to supply all the labourers you might need, and now we beg to apply to you personally stating again that :

'You can trust on us for any number of men you may require, even for thousands.

'We shall supply these men without any charge whatsoever for the company and shall act as interpreters and do all the work so as to prevent any kind of trouble or annoyance for the officers and employees of the company.

'Our society being under the control and subsidized by the Italian government, we may have good, sober and honest people coming to us through the Emigration Office in Rome, that would never allow criminals or sick men to come here.

'Later on, when the railway work will be over, we shall try to settle those men on land and make them good and industrious Canadian citizens.

'As our principal aim is to protect our countrymen against any kind of swindlers, of whom they have been victims until now, we try to secure the good-will and co-operation of all the companies that engage Italian labourers, the C. P. R. Co. first, as the most important of the Dominion, offering our services for the allotment of the men.

'Two months ago we sent to the C. P. R. Co. 50 copies of our by-laws, and as perhaps they did not reach you, we beg to send to you another one of them, from which you may see that our work is highly moral, and that it deserves to be taken into consideration.

'Please address yourself to our office, where you will find our agent always at your disposal for any information your company may require.

'Trusting to hear from you very soon, so as to put us in condition to be always ready to meet your requests.

'Yours truly,
'C. MARIOTTI, *Secretary-treasurer*,
'*The Immigration Aid Society No. 1*.'.

—A. Exactly.

Q. You will perhaps let me have a copy of the first letter, and there is a reply from Mr. Geo. E. Burns, I presume, as I see that Mr. McNicoll has indorsed on his letter: 'Geo. E. Burns, Esq. For acknowledgments. D. McNicoll, 6-3-'03.'

'MONTREAL, March 16, 1903.

'C. C. MARIOTTI, Esq.,
'Secy.-treas. Immigration Aid Society, No. 1,
'906 Lagauchetière Street, Montreal.

'DEAR SIR,—Referring to your letter of the 5th inst., directed to the second vice-president and general manager of the company, and also referring to the conversation with the delegation representing your society which took place in my office some days ago, I would state I have taken up the question of the employment of labour with the proper authorities, and have to advise you that it is not the intention of this company to change the arrangements for the employment of Italian labour which have been in vogue during the past few years; our present system has given entire satisfaction so far, and I therefore regret I shall be unable to place direct with your society any specific order for any number of men.

Yours truly,
'GEO. E. BURNS,
'*Special Agent*.'

Q. How many men have you assisted this year to get employment?—A. Over 600.

Q. Do you make any charge to any one?—A. Our by-laws give us the right to charge a small tax of 50 cents. This year I did not get a cent.

Q. Got nothing this year?—A. No, and last year we got only $61 and spent $400 to give them assistance.

By Mr. Mowat:

Q. Is that article 14 you are speaking of?—A. Exactly.

Mr. MOWAT (reading) :—'Article 14. The fees of 50 cents each to be charged to every employed Italian labourer shall form a fund from which shall be taken the money for expenses in trying to employ other labourers who are not finally employed by the society within a week, and who would not be bound to pay such expenses; also to pay law costs in law suits that may be lost before the local courts, when brought to compel the fulfilment of contracts of employment, as above stated.'

Q. How many labour bureaus for Italian labour are there in Montreal?—A. Of labour bureaus kept by Italians there are practically only two, Cordasco and Dini. Then there is Monetta, who started this year, and also three or more foremen of these who can understand English. They go to these men and ask them to give them so much and they will find work for them; sometimes they do and sometimes they do not. Our office was formed for the purpose of preventing this kind of swindling of our men. They come here and do not know anything. They come here very anxious to get work, having just a little money that they borrow in Italy very often. After they have paid their passage and have been fifteen days or a month in making expenses they have not got very much and are very anxious to get work, and the last few dollars remaining go to pay this kind of tax to different people to get work. A man who is very anxious to work and does not know where to get it gives what they ask and he is not always well used

By Mr. Internoscia:

Q. Mr. Candori, you state we have no agents in Italy, but supposing we want 2,000 men to whom would we apply?—A. We address ourselves to the Royal Emigration Office in Rome.

Q. Then, did we ask any men of the Royal Emigration Office?—A. We never did.

Q. You say that No. 1 bulletin has been prepared by yourself?—A. Yes.

Q. No. 2 was prepared partly by myself and partly by you. What do you mean by prepared by myself? Was it an annual report?—A. Yes ;the first annual report made by the president and secretary-treasurer of the society and translated into English by you.

Q. We have put into the report this paragraph:—

'As this is the first year of the society, no one could expect it would do many great things, such as what concerns colonization and the opening of a house of refuge for Italian immigrants, things that we have already discussed but which we hope to put in execution during the year 1904.'

Later on I see:—

'These hopes, together with that of being asked by railway companies to provide them with thousands of Italian labourers, form the project of what we intend to do during the year 1904.'

Q. When we speak here of Italian labourers, are these facts or mere hopes?—A. I think they were hopes.

Q. Did anybody in Italy take these hopes for facts?—A. I do not think so.

Q. They have read the facts as we have?—A. They were facts, and we have done our duty, as we have to report to the Italian government our view on the present condition of Italians. We stated what had happened last year, and we stated that was our opinion of what was going on for the next year, but if we were saying that the companies would require a large number of men we should have stated to the govern-

ment, to warrant the opinion, so many will be employed, and we should have stated send these.

Q. Answer my question. Now, have we forms of a contract of engagement in the office?—A. Yes, a kind of an agreement.

Q. Would we ask the Italian labourer to sign this contract?—A. No.

By the Commissioner:

Q. You might produce some of these forms?—A. Yes.

By Mr. Internoscia:

Q. We only send these forms to contractors and companies?—A. Yes, we send these forms to contractors or companies.

Q. These contracts are made between the society and contractors, and not between the society and the immigrant?—A. Yes.

Q. And in which I have been authorized to do by Chapter 66, Revised Statutes of Canada, 1886?—A. It is mentioned in the constitution.

Q. The other part of bulletin No. 2 that was prepared by yourself; there are some paragraphs on page 10 of the Italian and page 11 of the English versions. Now, will you read those, and give us your reasons for writing them?—A. (Reads):—

'Some time ago our society applied to the Provincial government of Quebec to obtain some free land for colonization, and we were assured that our demand would be taken into consideration most favourably.

'What we will want next is to secure good men who can help us in the realization of our best schemes, and they may be sure that the result will be quite a reward for their good-will and co-operation.'

'Everybody knows that very important lines of railway will soon be built across Canada from ocean to ocean. Many thousand men will be employed, not only in the construction of the railroads, but also to open up civilization and progress the territories they will cross.

'What a chance for the Italian labourers who will emigrate to Canada, will they be able to take the advantage of this opportunity?

'We appeal to you, Italian labourers and agriculturists, for your own happiness, for your own credit and for the credit of our country. Come to us, help us in fulfilling our difficult task to guide and protect you. Why should you not be able to do what people of other nations did? Look at the splendid result that the Italian agriculturists have had in South America, and especially in Argentina? Why should you not have the same result in Canada?

'Exercise your courage and energy and be ready to do something good on behalf of your families and yourselves. If you are afraid to start in a new calling you will remain a prey to swindlers and cheaters, you will be despised by others and humiliated before your own conscience.'

Q. Please explain in a few words why you wrote that?—A. That is according to my idea, when I wrote that it was that we really intended to change the character of the Italian immigration as much as possible. There are lots of people who come here who are no honour to the country they come from, nor to themselves. So that we want to have men come here who will settle here and take up land work and meet their situations and positions and so continue. This is what I intended in writing that. There is nothing positive in that, there is only information that large and important lines of railway are going to be built, facts that everybody not only in Canada but every where else know. We did not say to the men to come, but we say to those willing to come: you have a chance. This is what I said, I do not find anything to be ashamed of in that.

Q. How many men could you supply from Italy, good immigrants?—A. Any number.

Q. How many?—A. It depends.

Q. 10,000?—A. Well, I don't know of so many. I think 2,000 or 3,000 could be supplied in a certain time.

Q. What time?—A. A month or six weeks.

Q. You think you could supply contractors or railways with 2,000 in six weeks after application?—A. I will explain my application to the Royal Emigration for passports and for licenses to leave Italy, so that when the Royal Office will know that a number of Italians are required, they will publish the request any day there is a request for so many men at such a place. Of course the prefect and the mayors of different villages will be utilized, they will go into the districts where population is thickest, where emigration is most required.

Q. Would these make good settlers?—A. Some of them would have fair qualifications, because they would not like to stay. The character of the Italian is always to go back to his own country generally, but there are other places in which population is so thick the land is not to be had. So then in these places might be picked up lots of good agriculturists, good settlers. In Argentina we have 3,000,000 Italians, good men. In South America about 300,000, and I think in Argentina they have more Italians than Spanish.

Q. So you think you could supply Canada with the same class of men?—A. Yes.

Q. Let us determine the facts that we see here. You state, 'our society applied to the Provincial government of Quebec to obtain some free land for colonization.' Do you know that as a matter of fact?—A. Yes.

Q. Have you the letter here?—A. I will bring it.

Q. We see here that you ask them to help you in the realization of your best schemes. What are the best schemes?—A. Our best scheme is to change the character of immigration, to make our immigration more useful to Canada, and generally to the men as well.

Q. 'And they may be sure that the result will be a reward.' What is this result?—A. Because every man who comes here and settles on a farm did very well in Canada. I don't know why Italian farmers should not do as well.

Q. The result would be farming in Canada?—A. Yes, certainly.

Q. When you say we appeal to you for your own happiness, you ask them to come to you. Do you ask them to come from Italy to you, and why do you ask them to come to you?—A. To come to us when they are here, rather than to go to private agencies that make them pay money, people who are not reliable. We have no interest we have to fulfil a duty which has been imposed upon us by the government to protect our Italians and to advise them to come to us rather than elsewhere.

Q. 'Come to us, help us to fulfil our difficult task to guide and protect you?'—A. We can do nothing without co-operation in our efforts.

Q. And is it possible that our difficult task is to get men from Italy?—A. That is the very last thing we think of.

Q. The Italian government can improve immigration 50 per cent, what do you mean by difficult task?—A. Just to control immigration and to have moral strength to protect.

Q. 'Exercise your courage and energy and be ready to do something good on behalf of your families and yourself.' Do you mean that they should emigrate so as to go into agriculture?—A. It does not require great courage to emigrate, because they come very easily. It requires courage to change the kind of ways they have which I think are bad for something new and to change ways is not an easy thing and requires pluck.

By the Commissioner:

Q. What have these men been accustomed to do in the old country?—A. Farming.

Q. What are they good for when first hired?—A. When they arrive here at first they are fit for nothing else than pick and shovel. I have seen in the neighbourhood of Montreal about 100 farms composed of from 15 to 20 acres. These men come and

hire immigrants who do 75 per cent of the work of improving the little piece of land and after they get there they lease houses. Besides this they have to pay the passages, have to keep families there, small wages are no good for them.

Q. Were any of those who came this spring skilled labourers?—A. You mean, as mechanics?

Q. Yes.—A. We had a list of masons.

Q. How many?—A. About 100.

Q. Masons and stonecutters and good men, have they been employed as masons and stonecutters?—A. Very few, and for this reason. Many of these are men who have travelled about the world and been in Germany, France and elsewhere. When they come here they are asked to join unions as a means of protecting labour. They join the unions and when they do so they find very little work—one or two days per week. Canadian workmen do not like to be supplanted by foreigners, so many of these masons are compelled to work as labourers. I sent many down to Black Lake Mine, who are now there, say 250.

Q. Besides these 100 skilled all the others were unskilled labourers?—A. For the most part farmers.

Q. But only accustomed to pick and shovel?—A. Yes.

By Mr. Mowat :

Q. I see here in article 51 that Count Mazza, Consul General in Canada, is honorary president. Is this society carried on with his approval?—A. It is quite natural, as it is the Italian government that grants money to us, it is quite natural that the representative of the government will approve it.

Q. Is it so?—A. Yes.

Q. Does he take an active part?—A. The part he takes is controlling it.

Q. Do you let him know what are your proceedings?—A. Certainly, when any are taken.

By Mr. Internoscia :

Q. I see also an article in this constitution which says that provided skilled labour is required that you will furnish it?—A. We can get any kind of men. Our society is not only to bring out shovel and pick men, although it is more easy to have immigration of that kind of men to come than skilled labour; they find work everywhere, and they get better wages here than in Italy.

Q. We would not ask any of these people to come to Canada unless there was work for them?—A No.

By Mr. Walsh :

Q. Where did you endeavour to place these men, particularly the men who were here so far, since you have been in existence?—A. We have done so.

Q. Where the big majority?—A. As labourers.

Q. You tried to place them with railway companies?—A. With railway companies and private companies.

Q. You did not succeed with railway companies?—A. I succeeded mostly with the Grand Trunk.

Q. How many did you place altogether?—A. Last year about 300, this year, I am under the impression——

Q. Had you, as a matter of fact, any experience in the kind of men required on the construction railways?—A. Certainly.

Q. What experience?—A. The judgment of every one.

Q. Practical experience?—A. Since I started this kind of business.

Q. How long have you been at this business?—A. One and one-half years.

Q. And you state you have placed men on railways, what experience had you?—A. It is not very hard to understand what kind of men a railway company may need for ditching or shovelling.

Q. As a matter of fact, do you know that railway companies always employ the same men from year to year ?—A. Yes, I had proof even last year.

Q. Don't you know that a great many of these men go back to the United States ? —A. Part of them.

Q. Don't you know that most of the labour brought here from Italy is not used on railways ?—A. It is quite the contrary.

Q. Brought directly from Italy?—A. The railway construction is made in Italy.

Q. And you brought out skilled labour to work on railways here?—A. No, because we have no control over immigration, otherwise we would; if you will look into the matter you will see that our main railways in Italy are even higher than anywhere else.

Q. You do not know, you are not an engineer?—A. I have some knowledge, and you know we have parts of railways that are worse than the Rocky Mountains, the line from Pisa to Genoa, for example.

Q. You issued a bulletin called No. 2. In that bulletin you speak greatly about agriculture and what you intend to do as regards settlement, did you ever apply to the Dominion as to placing of any of these people ?—A. No, because it was not represented yet.

Q. But you were 1½ years at work in connection with your society, still you never thought fit to apply to the Dominion government?—A. Yes, we applied for lands in the province of Quebec.

Q. How many people did you settle?—A. It is a thing about which——

Q. How many people did you endeavour to settle?—A. It was impossible to settle people if we did not have the land, if we had the land we would find the people.

Q. You send the railway companies to place labourers for which you were to get 50 cents per man. You merely made application to the Provincial government for land, when did you do that ?—A. About this time last year, July.

Q. Did you go to see the government?—A. No, we made a regular application.

Q. Did you get an answer?—A. Yes, our demand was taken into consideration.

Q. Did you ever take any further action?—A. No.

Q. So that you have followed up your plans concerning the immigration of settlers to this country by simply trying to find work with railways and contractors?—A. We could not do otherwise for the mere reason that everything has been contrary to us.

Q. And you attribute that to clear circumstances?—A. I attribute that to private interests.

Q. Well, you have certain interests in these people?—A. No, I do not mean as regards commission, from friendship, you know.

Q. You receive no commission?—A. No, it goes to our secretary-treasurer.

Q. Are you the agent for any Italian navigation company?—A. No. Three men came to see us on the 15th. We had a postcard from the Inspector of Immigration stating that they wanted to go to Italy, and I had bulletins of the sailings of the steamers, and I saw there was one next day from New York at 11 o'clock, and I informed them that if they started that night they might arrive in time on the following day.

Q. That is the only case?—A. Yes.

Q. Now, what about the changing of money to be sent to Italy?—A. Anybody coming to me inquiring for change of Italian money into Canadian, or Canadian money into Italian, I send to Mr. Dini. If I thought Mr. Dini would not give same change as another banker I would send the inquirer to the other.

Q. As regards the bulletins that were written, don't you know that the publication of these bulletins led to an attack in 'La Patria Italiana' and the 'Corrirere del Canada'? —A. This was not an attack, only a discussion.

Q. It was no discussion, because nobody answered it?—A. They said lots of interesting things about several gentlemen, of me personally and of the society, but we never answered, because they did not deserve it.

Q. Well, the publication of these bulletins lead to a certain amount of publication going on in the Italian papers?—A. There was no discussion.

Mr. Internoscia to Mr. Walsh.—Was it not for the bulletin itself and not the discussion, if we want to call it a discussion about the tone of the bulletin or matter?

Mr. Walsh.—I want to say that this bulletin was re-copied in Italian papers and in other papers.

The Commissioner.—He says that. He says it did lead to something. He is ready to state that it did lead to something.

Mr. Mowat.—I do not understand the position my learned friend is taking here. I do not know why he is contradicting the society, why is this acting before going on with cross examination?

By the Commissioner:

To witness. Q. Let me ask you a question myself. Has the publication of this bulletin lead to certain publications concerning Italian immigration in the Italian papers of this city ?—A. Yes.

Q. Has it lead to certain publications in the Italian papers in New York—A. I do not know.

Q. Has it led to any publications in the Italian papers in New York?—A. I never read any.

Q. Have you read any other Italian papers?—A. I have not. Perhaps the idea of these gentlemen was that the bulletin was made to be published by these papers, because they only criticized the form of the bulletin, saying that there was nothing in what we were doing, but they never published much of the contents of the bulletin.

Q. As a matter of fact, did not these papers, that were referred to a moment ago, and which you admit have published certain information contained in the bulletin, did not these papers refer to the great prospects, taking the cue from these?—A. Not at all, because there was not one of these articles that we did not take great care to tell the Italians that we made these statements just from what we knew.

Q. Did they not take up your thought that they were going to have a great year and that the prospects were magnifiecnt?—A. Oh, no.

Q. You swear that the Italian papers did not?—A. I never read them.

By Mr. Internoscia:

Q. Was our annual report copied in all of the papers?—A. Yes.

By the Commissioner:

Q. Have you got it there?—A. Yes.

Mr. John S. Skinner being sworn:

By the Commissoiner:

Q. What is your name in full?—A. John S. Skinner.

Q. What position do you occupy?—A. I am labour agent for the Canadian Pacific Railway.

Q. How long have you been labour agent?—A. Well, since the beginning of this year. Previously I have had the supervision of all the labourers employed by the Canadian Pacific Railway and to a large extent the employment of mechanics for the shops, but last year I had nothing whatever to do with the employment of Italians.

Q. That was first added to your duties this year?—A. This year.

Q. Now you say you have the supervision of the employment of all Italians employed?—A. I have the supervision of all.

Q. What do you mean by supervisoin?—A. It is my duty to receive orders for these men as they come in from the superintendent at different parts of the line and interview Cordasco, who is given the supplying of Italian labour, and in giving Cordasco orders it is my duty to see that the contracts are properly made and filled out by the men.

Q. You are an Ontario solicitor, Mr. Skinner?—A. I am.

Q. What contracts do you refer to?—A. Well, every labourer employed by the Canadian Pacific Railway signs a contract in duplicate. He receives one copy and the other copy is kept by the company.

Q. Is that in English?—A. In English for English-speaking labourers, in Italian for Italians and in French for French labour.

Q. That is in three languages?—A. Yes.

Q. Do you understand the three?—A. My knowledge of Italian is very limited.

Q. What other duties besides supervising these contracts and employment of these men?—A. Well, I have the supervision of the shipment of these labourers by train, and in the case of correspondence with the superintendents to see what divisions these men are sent to, and I also have charge of correspondence regarding claims, if any, are made by these men after returning from work.

Q. Have you charge of everything in connection with the employment and payment of labourers?—A. I have not direct charge of that. I have charge under the superintendence of Mr. Burns.

Q. Mr. Burns is your chief, and under his direction you take charge of that department of his work?—A. I do..

Q. Where is your office?—A. My office is on St. James street, No. 371.

Q. Now, who is your employment agent, who employs Italians for you?—A. Antonio Cordasco.

Q. How long has he been in that position?—A. Since before I was an employee of the company.

Q. His office is?—A. 375 St. James street.

Q. Adjoining yours?—A. Yes.

Q. And has been before your time?—A. Yes.

Q. Any agent besides Cordasco for that work?—A. For Italians, no.

Q. What part of the work do you supervise?—A. I supervise, first of all, the contracts and his accounts against the company. I check each month and make some notes or corrections or deductions, and after doing that, I pass them on to Mr. Burns.

Q. You certify the account to Mr. Burns?—A. I certify to Mr. Burns.

Q. Do you go into the account to see if Mr. Cordasco's charges are right?—A. Yes. Very much so.

Q. What remuneration does he get from the Canadian Pacific Railway for the employment of Italians?—A. There was an arrangement made this year, in April, between Mr. Burns and Mr. Cordasco.

Q. Were you present?—A. I was going to explain that I was not present when it was made, but Mr. Burns told me about it immediately.

Q. Did Mr. Cordasco tell you?—A. Mr. Burns told me in his presence.

Q. What was that agreement?—A. The Canadian Pacific Railway, from that date, would pay at the rate of $1 for each man, and in consideration of that, Cordasco was not to make any other charge against the men.

Q. Against the men for employment in connection with Canadian Pacific Railway works?—A. Exactly.

Q. Do you remember that date?—A. I believe it was the last week in April.

Q. What was the previous arrangement?—A. The previous arrangement—I was not in charge of the Italian affairs.

Q. What was the previous charge made by Mr. Cardasco, as appearing in his

accounts against the Canadian Pacific Railway ?—A. Before April; before that time Cordasco——

Q. Have you an account so that we may look it over?—A. I have not—I am quite well aware—I have no account. I have just the particular letters you required.

Q. Probably Mr. Burns may show you one of the accounts?—A. I am quite well aware that up to that time Cordasco was paid a fee from the company for his services, and it was understood that he was allowed to collect a fee also from each labourer.

Q. With whom was that agreement?—A. I cannot give you any information prior to that, before my supervision of this work.

Q. All you saw was his fee charged for attending to that work?—A. Yes.

Q. What was that fee ?—A. Cordasco was allowed a fee of five dollars a day for a proper day's work.

Q. What would you call a proper day's work ?—A. If it took several hours to do he charged for it *pro rata,* or something of that sort.

Q. Did you mention it by hours?—A. By hours and importance of work.

Q. So that if he went out to hire men and took two days to hire them, he was paid at the rate of five dollars per day?—A. Of course, it was a matter of judgment if he had: well, if he had used his best endeavours.

Q. I suppose you corrected any errors in the way of overcharges in his account?—A. Yes.

Q. That continued up to about the end of April?—A. Up to the end of April.

Q. Another agreement was made at that time. Why was another agreement entered into ?—A. Just a matter of opinion on my part.

Q. Well, I wish to ask you as to your opinion, you do not know why that was made ?—A. I can say that it was on account of complaints from Italians as to their being charged, I understand. It was simply an opinion.

Q. Was it spoken over between Mr. Cordasco, Mr. Burns and yourself?—A. At the time Mr. Burns told me of the new arrangement. He practically told me that it was because there had been complaints about Cordasco charging the men.

Q. And you wanted to stop these complaints?—A. Something of that sort.

Q. On behalf of the C.P.R.?—A. Something of that sort.

Q. So the C.P.R. was aware of the character of these charges. What charges were made against the C.P.R.?—A. I did not stop any charge.

Q. Why did the C.P.R. interfere?—A. Because these men were being employed by the C.P.R., and the C.P.R. thought it well to take care of them as much as possible.

Q. Do you think it was in consequence of the Immigration Aid Society who offered to supply men without charge?—A. I have no reason to believe that.

Q. No?—A. Because it never occurred to me.

Q. Do you know how many you asked Mr. Cordasco to supply?—A. Mr. Cordasco supplied 711 to the C.P.R. this spring.

Q. You requested him to supply, or to be able to supply any great number?—A. No, we did not tell him what number.

Q. Did you suggest to him the number likely to be employed during the season ?—A. No, except in the most indefinite——

Q. I mean that——A. I do not think he was told in the early spring we would require many.

Q. How many?—A. I do not think I said anything to him in any way. Of course he had the experience of former years, and this year would be about the same.

Q. What was last year's employment?—A. 3,144.

Q. On the C.P.R. ?—A. Last year, Italians.

Q. How many labourers had you altogether on your list last year ?—A. Well, the total number of unskilled labourers was something in the neighbourhood of 6,000. I have not got my statement here. You only asked me to bring you the list of people employed this year. I can easily get the exact figures.

Q. Kindly do so this afternoon ?—A. Well, it was something over 6,000.

Q. What is your information as to the remaining at work of these unskilled labourers. Did they remain there the whole season, or did they jump their contracts? —A. As far as the Italians are concerned, they stuck to their contracts quite well. But so far as the other men sent to the North-west where harvesting is going on, they sometimes jumped their contracts.

Q. In order to supply their places what do you do?—A. We have to send out more men from Montreal.

Q. Have you received any applications yourself for employment?—A. I received some this year. These applications from labourers go some to the president, some to the general manager. I have a list of those who applied, one list for this year, and there were three or four applications at the end of last year.

Q. How many are there?—A. Altogether 38.

Q. Personal applications?—A. Personal applications.

Q. Where from?—A. People who applied in the autumn, Portland, U.S., and Sault Ste. Marie, Michigan and Detroit. Then the year beginning in January to July 31, including people from Chicago, Brooklyn, Moose Jaw, Sault Ste. Marie, Roxbury, Berlin, North Bay, Seattle, New Orleans, Buffalo, Spokane, Hamilton and some other places.

Q. Are these individual applications, or made for parties?—A. These are all from persons who say they could supply a number of men, some 50, some 10,000.

Q. Well, 10,000, where did that one live?—A. Somewhere in the United States, I have the letters here.

Q. What dates do these cover?—A. October 22 last year up to July 7.

Q. What answer did you give to these applications?—A. Well, in some cases I stated we did not want these men at the present time, and others I did not answer at all.

Q. Why?—A. They came in too rapidly at times and there was no opportunity to answer them.

Q. Was it not because you wished to employ these Italian labourers here?—A. I suppose that was part of the reason.

Q. You employed them all through Cordasco?—A. Yes.

Q. Have you employed any at all outside of Cordasco?—A. No Italians.

Q. Is that your agreement with him?—A. I do not know of that agreement.

Q. What is the arrangement with Cordasco with reference to his office rent?—A. He finds his own office rent.

Q. He pays his own office rent, nothing further; who is his lessor?—A. His lessor is Mr. William Walker.

Q. The rent for the whole office is paid by the Canadian Pacific Railway, and Cordasco pays the Canadian Pacific Railway exactly one half?—A. He pays for his own office.

Q. To whom does he make payment?—A. I do not know exactly to whom he makes payment.

Q. I thought you had charge of that department?—A. I have not charge as far as the collection of rent from Cordasco is concerned.

Q. Does he not charge you for work in connection with the cleaning out of the office, and water rates, &c., and all that, who pays for that?—A. As far as cleaning of the labour office is concerned, that is a matter that I have attended to; at different times I have employed people myself, but at the present time and for some months past I have asked Cordasco to have it done by one of his men, who is generally lounging about his office. There is a woman who scrubs the office, it is the same person who scrubs his office out, I don't know her name. I do not pay her direct, I pay her through Cordasco.

Q. So that he and you and the railway looked after offices generally?—A. No, Cordasco has nothing to do with my office in the world.

Q. I thought you stated that he looked after your office cleaning, water rates, and charged you with them and you paid?—A. It is only a domestic matter the cleaning

of the office. I asked Cordasco to get the woman who scrubs his office to scrub mine when she finishes scrubbing his and she is paid by Mr. Cordasco, that is all.

Q. Well then, look at that account, how is that, is that for your office?—A. No, it is for a yard there is behind the office, and I remember it got full of ice and snow last year and it became very difficult on account of that ice to get it cleaned out, so Cordasco was told to get it cleaned out. It was just a matter of convenience. He has a lot of men loafing around, and he put in an account for it.

Q. I suppose the March account would show how much he charged your company, that is certified by you, for the work in connection with the Italians. Have you got that account?—A. I have in hand all the expense accounts.

Q. We will look at that after adjournment.

The Commission adjourned until 2 p.m.

THE COURT HOUSE, MONTREAL, July 21, 1904.

2 P.M.

The Commissoin resumes.

Mr. SKINNER recalled.

By the Commissioner :

Q. Have you a statement of the men who have been employed this year?—A. Employed this year ? I gave you a statement of last year yesterday afternoon.

Q. Don't you know how many there were?—A. Unskilled labour, about 6,000.

Q. And how many this year?—A. This year to the present, I have not got a statement to date. The unskilled labour altogether this year, including a lot of Norwegians employed in Winnipeg, numbered about 2,000. The number of Italians this year is 711 from Montreal.

Q. From Montreal?—A. And from Winnipeg about 204.

Q. Have you a copy of the contract under which they were engaged ?—A. You have Mr. Candori, I have not a copy of it.

Q. I think you were asked about individual contracts?—A. Yes.

Q. (Showing contract). This is the form which you have adopted?—A. Yes.

Q. By the C.P.R., with all the Italian labourers ?—A. Yes.

Q. Have you got it in English ?—A. I have not got a copy here.

Q. Mr. Burns signs all of them?—A. I sign them for Mr. Burns.

Q. Have you been authorized by him?—A. Yes.

Q. Mr. Cordasco signs them as well?—A. He signs as witness.

Q. In every case?—A. He is supposed to sign in every case.

Q. He or his clerk?—A. He does it himself really.

Q. It is similar to the one in English and French?—A. Yes, I will get you a copy.

Q. What other work does Mr. Cordasco do for the C.P.R. in addition to employing Italian labour?—A. Sometimes there are claims against the company.

Q. You employ him for the purpose of looking into the claims?—A. Yes, looking after them and making translations of letters.

Q. He charges specially for these items, does he?—A. He is specially paid for them.

Q. You think under the five dollar a day item?—A. Yes.

Q. That is previous to the latter end of April?—A. Still.

Q. Still paid at that rate?—A. Still paid at that rate.

Q. In addition to that I see he supplies Italians who go a distance with provisions? —A. He does.

Q. These provisions are charged against their wages?—A. Yes.

Q. Who checks the accounts for such supplies?—A. I check them.

Q. How do you check them, what means do you take to see that they are correct? —A. Well, the first thing I do is to see whether I think he has supplied enough or too much stuff for the parties leaving, and then I look over the prices charged for each item.

Q. You look over the prices charged for each item and ascertain that they are correct, by what means?—A. The only way to ascertain, I judge.

Q. How do you judge?—A. All the articles he supplies are every day matters.

Q. Did you ever test the prices?—A. I bought a few duplicates of articles in my list.

Q. Just to test the price?—A. To try them.

Q. His profit is added to the original item and charged against the Italians' wages?—A. I do not understand.

Q. You understand he just charges the amounts he pays for these articles?—A. I understand that the articles are bought from him. He adds an amount for what he thinks a fair price.

Q. Are the articles bought from him ?—A. The articles are bought from him.

Q. By whom?—A. By the C.P.R.

Q. On your order?—A. On Mr. Burns' order.

Q. You give him the orders in writing?—A. The orders are verbal.

Q. In all cases?—A. Yes, when I am away.

Q. Cordasco gets them?—A. As far as supplying provisions on the road.

Q. Does he supply provisions, is he at present?—A. I do not know that he is.

Q. No, he is not. He gets these articles from others?—A. I believe so.

Q. You pay him for getting these things ?—A. Oh, no, he is not paid for getting them.

Q. He is paid for his day's work?—A. The arragement now is that he gets $1 per man.

Q. Never mind now, I mean last year?—A. I do not know whether he got paid before that.

Q. Get me one of the accounts of last year ?—A. I do not remember it, I had nothing to do with it.

Q. Well, we will take March 15, 1904—you had to do with that?—A. Yes, March, 1904.

A. Will you look at the items of March 15 ? (Hands him account.)—A. March 15; yes, I see.

Q. 'Services rendered by sending provisions to westward train'; it is O.K.'d. That is a $5 item?—A. That is not for Italian labour.

Q. It is simply for Chinese labour. It is a charge against you; the only difference was that you did not get it back from the Chinese, but you did from the Italians. He charged $5 for that day. $54.05 for these provisions; look at the account?—A. Yes, $54.05.

Q. He bought them for $37.95 the same day?—A. I am not aware.

Q. There is the account produced by Mr. Cordasco; $16.10 made on that little item of $37.95. What means have you taken to find out what were the prices of the articles supplied to the Italians and Chinese?—A. I have taken no means. I have looked at Cordasco's accounts.

Q. And just estimated it was correct?—A. I looked at each item.

Q. Without knowing whether they were reasonable or not?—A. I just went on my own judgment.

Q. Look at the April account you passed, too?—A. The April account?

Q. What is the charge he makes there for shipping men?—A. Charges $5.

Q. For that he gives provisions on that date?—A. What date are you looking at.

Q. April 14.—A. He only gets $5 for shipping and loading provisions.

Q. That is all he is entitled to, that is bread for your men. Now, what is the account for provisions?—A. $152.

Q. Do you know how this is made up?—A. It is made up of loaves of bread. Three hundred loaves of bread; I think, he charges 18c. for each loaf.

Q. How many sardines?—A. Four hundred.

Q. How many men?—A. One hundred and eight.

Q. As you see (showing account) the original cost of these various items was $94.72?—A. I never saw that before.

Q. But could you not have found out from any person doing business in Montreal? These Italians had to pay $152 for what was purchased for $94.72?—A. At the same time, I gather from this statement that they were not paying any more than they would be obliged to pay for themselves.

Q. The Canadian Pacific Railway were paying Mr. Cordasco for acting in the interest of these Italians. They were your employees. Now, what means did you take, as a servant of the Canadian Pacific Railway, to find out that you were getting articles at the lowest price for these men?—A. In reply, I can only say I scanned Cordasco's accounts item by item, and if the items were reasonable I passed them.

Q. Without knowing what they could be bought elsewhere for?—A. Yes.

Q. In every month there is a large item for supplies of this kind?—A. Some months there is only a small item.

Q. Some months larger than $152?—A. I do not know.

Q. Last year some months were considerably higher?—A. I do not know about last year.

Q. And in the present year sardines that cost 4c. a box were charged 12c.?—A. They are down here at 10c.

Q. That is only 150 per cent profit. Where does all the profit go; does Mr. Cordasco alone get all the profit?—A. I do not know any one having an interest in it except Cordasco. I must confess that I was not aware that he bought the things as ordered.

Q. With every account that Cordasco produced he should have given you the bill in detail from the party he got the goods from for every day he charged you for supplies. He gets these articles from Mr. Spenard. I suppose, Mr. Spenard just drives them to the Windsor station, is that all?—A. They are looked after there by Cordasco.

Q. And he gets $5 for doing that?—A. He does not now.

Q. He did last year?—A. Of last year I cannot speak.

Q. But up to April in the March and April accounts he has charged them. So you see he gets $5 a day and how much from the unfortunate people who have to pay for these supplies going out west. $152 less $94.72, or $57.28, that he gets out of that. I would suggest in future that you look into these accounts. Do you not think that is a little more than fair. He is your servant, he has to supply these articles, has he not?—A. I quite see the point.

Q. Why should you allow him to make money out of these men?—A. It is not a great hardship the cost to the men.

Q. I do not think it is excusable at all, Mr. Skinner. I think the men pay a great deal more than they ought to pay and more than the Canadian Pacific Railway directors wish them to pay. I feel certain of that, and it is inexcusable that such charges should be made against men; of course it would be very important to have 10,000 for employment by the Canadian Pacific Railway, if such profits can be made. Adjoining your office is Mr. Cordasco's; you see men going in there for the purpose of obtaining employment?—A. I cannot see into the office.

Q. You can know and hear?—A. Only a few.

Q. Have you seen them at all?—A. I have heard him charge $1 for registration.

Q. How much does he charge for foremen. I think Cordasco charges something like $10 for foremen?—A. Not that I know of.

Q. You never heard that Cordasco charged more than $10, $1 from the labourers and $10 from the foremen for obtaining employment for them?—A. As far as the men were concerned, I was thinking of the whole thing. including registration and getting work.

Q. What about new labour?—A. I understood he charged $1 for registration and a couple for starting them to work.

Q. Only that two dollars?—A. Yes.

Q. That is $3 for getting employment?—A. Certainly.

Q. He really makes $4 on these men and $1 from the Canadian Pacific Railway, which makes $5?—A. No.

Q. You told me that the Canadian Pacific Railway agreed to give him $1?—A. The Canadian Pacific Railway agreed that he get nothing.

Q. Do you know that he gets nothing?—A. I do not know.

Q. Well, you say that he gets nothing from you?—A. I do not know that he will be paid anything by the Canadian Pacific Railway.

Q. If it is not known what he gets?—A. My reason for saying that is that he was given $1 in consideration of his getting nothing from the men. I agree with Your Honour that he should not be paid double for the service.

Q. Can you tell me how much Mr. Cordasco has made out of these 700 odd men he has sent you?—A. I certainly cannot.

Q. Have you any idea?—A. Well, I know he has been paid nothing by the Canadian Pacific Railway.

Q. How many foremen have gone?—A. I should say about six.

Q. Only six foremen for 700 men?—A. In some instances it was asked that foremen should not be sent.

Q. Only six foremen for 700 men?—A. I think only six foremen.

Q. You have a list of the men who have gone out?—A. I have got it here.

Q. Kindly look up the number who have gone out this spring, every party has a foreman?—A. (Looks at list.) There are 11 foremen.

Q. 11 foremen and how many men?—A. 711.

Q. Eleven foremen at $10 equals $110. How much for each man and how much for getting employment, $3?—A. I do not know, Your Honour.

Q. We will take $1 for registering, this you do know, that is $700?—A. Yes.

Q. Now, adding this $700 to the $110 received for the foremen, that would make $810 since—when was the agreement established?—A. On April 14.

Q. Well that would be $810 from April 14 up to July 16 inclusive, and if he has charged $3 for each, that is $2,100, and with the $810, that would amount to $2,910 from April 14 to July 16?—A. On what basis?

Q. If he charges you besides $1 for these 711 men, that would bring the amount to $3,620?—A. There was a gang yesterday.

Q. How many?—A. 15 men.

Q. We are only going to July 16. That is really all that is black and white.

Q. $3,621 from April 14 to July 16. Do you know what efforts he puts forth in order to engage these men?—A. He has lots of trouble. He keeps an office with a waiting room, they are resorts where these people spend all winter. They come down to smoke, he keeps all sorts of conveniences for them.

Q. But I mean as to employment, I mean efforts contingent to getting these men hired?—A. I do not know anything about that. Of course, a great many come down from work in the autumn, some remain there and some go to Boston and New York.

Q. Some of those who have registered one year have to pay over again?—A. I think they want to do it. They come down and consider Cordasco their friend.

Q. I suppose he is their friend to the extent of getting what amount of money he can out of them?—A. They seem to like it.

Q. They are a peculiar people, you and I would not like that Mr. Skinner.

Q. You cannot tell me what agencies he has in the States, or in Italy, for the purpose of getting these men out?—A. I have not heard of any in Italy, and I do not know

of any in the States. I simply know that at the end of the last year, after all the men had been sent and more were required, I understood he got some Italians living in Boston and New York sent up. I do not know though from whom he got them.

The COMMISSIONER.—That is all I wish to ask.

Mr. RICHARD H. LANE, being sworn.

By Mr. Mowat :

Q. I am told that you are a university graduate, and that for some years you have dedicated your life to the study of social and economical questions in connection with organized charity?—A. Yes, sir.

Q. What is your present position?—A. Secretary of the Charity Organization Society of Montreal.

Q. Is that the society which combines the efforts of a number of other societies?—A. It is a clearing house for the other societies.

Q. In connection with charity and other philanthropic subjects?—A. Yes.

Q. You remember the influx of Italian labourers in April and May last?—A. I do so.

Q. Is it part of your duty to look after and dispense help to destitute persons who come to Montreal?—A. All social problems belonging to Montreal.

Q. Did it come under your notice that there was anything extraordinary in this great influx?—A. I first noticed along in April that there were a large number of unemployed Italians in all our parks who did not leave the city as they did heretofore in the two years I had been there.

Q. Were they sitting in the parks only a few moments?—A. Well, they were spending the whole day in the parks, and my attention was called by a good many members of our society, and I think we spoke of it and thought it wiser to wait until things came to a crisis before doing anything.

Q. Did you inquire where these Italians came from?—A. Not at that time, we had a little meeting. I am told it was about May 30 in the mayor's office. I speak and submit to him or he to me frequently questions regarding dependant immigrants from the city council which are referred to the bureau of the mayor. I think he informed me that the president of the Italian Immigration Society had been to him that morning and stated that they had spent a large amount for the relief of the homeless from the house on Windsor street, and he asked my judgment and I told him that before doing anything I thought it would be wiser to call in the president.

Q. That is Mr. Catelli ?—A. Yes, Mr. Catelli. We met at another room that day Mr. St. Denis, chairman of the Police Committee, who was interested in the affair.

Q. Alderman?—A. Alderman. The president of the Italian Society. He stated that they had spent over $1,000 of the $2,000 voted by the Italian government for a house of refuge, on bread for these Italian immigrants, and that there were probably 500 of them who had no means.

Q. Completely destitute?—A. Completely destitute.

Q. Eating bread and drinking water and nothing else?—A. Yes. The president of the society asked me if the charitable societies would make a public appeal. I did not feel justified in doing this, for it is absolutely impossible in feeding a large number of foreigners to have proper control as to how much they really need.

Q. You mean that there may be destitution practised?—A. Yes. The president of the Italian Society here is well respected, and the mayor told me that he had perfect confidence in what he stated that before I acted as treasurer of this fund I thought it was wiser to take the judgment of two men friends, members of the society.

Q. Were they called in?—A. I went to both of their houses before I would act as treasurer of this fund. Both of these men stated that there were Italians who were

asking for food, and acting upon their judgment I went back and told the mayor that I would be willing to act as treasurer for the fund, and the appeal was published in the papers and we received about $185 from the public for the bread fund.

Q. Where was the bread distributed?—A. From the Windsor street house. I told the president of the Immigration Society and other gentleman that I felt it would be wiser to cut down the bread limit every day, and we did until in about four weeks they were practically giving away no bread.

Q. Then the trouble was acute for about three or four weeks?—A. Yes, I made an investigation for my own sake and the sake of the mayor, as to the Italians who had no bread and we came to the conclusion that there were possibly at that time between 200 and 300 in Montreal.

Q. You mean Italians?—A. Between 200 and 300 who were dependent for their support either on the Italian Immigration Society or on their friends, of course I know the Italian Society stated there were more, but that was due to many who without reason stated that they were in need, but from my own judgment there were 200 or 300 without means to buy bread.

Q. Did you hear Mr. Dini this morning give evidence on this subject?—A. I did.

Q. Did you hear him say that the bulk of the immigrants were from the States?—A. And I think that is right. That is one of the greatest difficulties we have, we can get any amount of people to come to this country from Boston and New York, but we have no means of returning them to these places.

Q. You mean that there is a prohibition against our sending foreigners across the line?—A. Yes, less than six months ago I had a case of an Italian who had consumption and could not live more than two months, and we wished to send him to Italy by the boats that sail from New York, but we could not do so as the United States government will not allow us to send an Italian home by way of New York, even if we give our personal word that he has paid his fare.

Q. How is it about foreigners coming into this country from the States?—A. Well, we do not keep a record of them. It is an open secret that there is some arrangement whereby the steamships plying at ports in the United States get the United States officials to allow these people to pass through to Canada without the inspection they would require if immigrating to the States. I cannot prove that, nor have I seen it, but it is known to be a fact.

By the Commissioner:

Q. How much was the cost to the society, Mr. Lane, what was the cost for this influx?—A. How much I spent giving bread?

Q. Yes?—A. I spent about $106.

Q. Do you know what was the result of this large influx on wages of our people?—A. That is a very difficult question, Your Lordship.

Q. Are you in a position to state?—A. No, I have no statistics.

Q. You have no practical experience?—A. Well, I know what they say, but I do not think the Italians in Montreal have taken jobs that others would do.

Q. That is, you believe that the Italians do work in Canada and the United States that no one else would?—A. Yes, that is true of certain work.

Q. For instance, construction of railway lines?—A. An inspector would answer that better than I could. There is a distinction between the Italian colony in Montreal, that come here to reside with their families, and people who come only for the summer.

Mr. J. M. VIGLINO was sworn as interpreter.

POMPEO BIANCO being sworn. (Through interpreter.)

By Mr. Mowat :

Q. Are you living at 94 Felix street?—A. Yes.

Q. When did you come from Italy?—A. Eight years ago next March.

Q. Have you acted as foreman and interpreter of gangs?—A. Yes, sir, two years for the Canadian Pacific Railway.

Q. Did you go to Antonio Cordasco asking him to get you employment?—A. Yes, sir, when I came back from the company.

Q. Do you remember the date?—A. November 27 last.

Q. You saw Antonio Cordasco?—A. Yes, sir, he told me to make up a gang.

Q. Did you undertake to make up a gang?—A. Yes, 104 men.

Q. When?—A. On December 2, and they were put in the register on the 7th.

Q. Was any condition exacted by Cordasco?—A. Cordasco told me to send him the names and the money?

Q. What money?—A. $100.

Q. Did Cordasco make that a condition of putting the names in the book?—A. He took a list.

Q. Was any greater sum demanded from you as foreman or interpreter?—A. No, sir, I was only a foreman.

Q. Was there no greater amount paid?—A. They gave him $100.

Q. How much did you pay as foreman?—A. I paid $10 in the month of August.

Q. August, 1903?—A. Yes, but he did not mark it in book.

Q. You paid Cordasco $104 and $10?—A. Yes, $104 for men and $10 for myself.

Q. When was employment to be given to yourself and men?—A. The beginning of March.

Q. Did you or these men get employment from Cordasco?—A. Yes, on the Canadian Pacific Railway.

Q. Were they employed at that time?—A. No, they were placed to work on Thursday last.

Q. From the first of March, when they were promised employment, until Thursday last they were idle?—A. They work for the Grand Trunk now, and not at place during that time on the Canadian Pacific Railway.

Q. They were not placed by Cordasco?—A. No.

Q. Did he return the money that was paid?—A. No, sir.

Q. Have you instructed suit to be entered to recover the money?—A. Yes, sir.

Q. Through what solicitors?—A. Mr. Pelissier.

By the Commissioner :

Q. Where did these men come from whose names you gave in?—A. Montreal; they had come back from the country.

Q. When did you get the gang?—A. Last March.

Q. Did any of them come from Italy?—A. Only two or three came from Italy.

Q. Who were they?—A. Donato Dorazio, Domenico Bianco, a cousin of mine.

Q. And who was the other?—A. I do not remember now.

Q. Where did those two men come from?—A. From Italy.

Q. What place?—A. Somité Cheta.

Q. Who sent for them?—A. Domenico Bianco sent for them. He has two brothers here.

Q. Did you get any of your men from the United States?—A. Yes, but I do not know their names, about 10 or 12.

Q. Did you ask Cordasco to refund you this money?—A. Yes, I asked him and he refused to pay; he said no.

Q. On what condition was the $10 paid?—A. He told me it would be all right, he would get me a job, and I took $10 and gave them to him.

Q. It was to be a good job for $10?—A. Yes.

Q. On what condition were the $104 paid?—A. For the gang, I suppose, to be foreman.

Q. Where did you get the $104?—A. I paid one part from my pocket, and some I collected from the men.

Q. Were they to pay any other sum besides the $1 before getting employment?—A. Yes, they paid $2, but I paid it back; I did not give it to Cordasco.

Q. They paid $2 to get employment?—A. Cordasco told me, you must get $2 and bring money to me.

Q. How many paid you the $2?—A. About 15, and I paid it back right away.

Q. Were you present in Montreal during April and May last?—A. Yes, I was here with all the men.

Q. Did you see a large number of Italians here then?—A. Yes, a large number.

Q. How many?—A. All the streets were full.

Q. Can you give me the number as near as you think?—A. Two or three thousand, I do not know.

Q. Where did they come from?—A. Some from Italy, some from work, some from the United States. From the United States I had 15 men in my house.

Q. What induced them to come here?—A. I don't know.

Q. Did they not state why they came here?—A. They said, we saw a notice in the newspapers there was work in British Columbia.

Q. What newspapers?—A. I don't know.

Q. Where did they see this notice?—A. In the United States.

Q. But those that came from Italy, why did they come here?—A. I don't know.

Q. Who obtained employment for your gang?—A. One part myself and one part my nephew, who lives in Burketon. One of the parties works at Burketon.

Q. Are they on the Canadian Pacific Railway?—A. No, on other contracts with Mr. Foran.

Q. How much are they getting?—A. $1.75 per day.

Q. How much do the foremen get?—A. $2.25.

Q. Are they employed in Montreal?—A. Yes, they started last Thursday for the Grand Trunk Railway and for manufacturers.

Q. How much are they getting?—A. Most of them $1.50 per day and others 20 cents an hour, so that they make $10 or $15 per week.

Q. Are all your gang employed now?—A. Yes, one portion I sent to Mr. Dini on Thursday last; they went to Burketon.

Q. For Mr. Dini?—A. Yes.

Q. Do you know how much they paid Mr. Dini?—A. I don't know.

Q. Have you anything else to say?—A. I can say that my gang owe me $500 for support and cannot give me the money back, because they did not start early enough to work.

Q. Your gang owes you $500?—A. Yes.

Q. What was that money advanced them for?—A. To give them something to eat and their board.

Q. During the last spring?—A. Yes, because I was obliged to keep them until last Thursday, eight days ago.

Q. It will take all their time to pay back?—A. Yes, I think this year they cannot make enough to live, only two or three months work.

By Mr. Walsh:

Q. Why did you pay these $10 in August?—A. Because Cordasco told me that to get a good place I would have to make a little present, and I gave him $10.

Q. Not for work this year?—A. Yes. I had paid before I left here on 3rd May, 1903.

By the Commissioner:

Q. Did you pay $10 each year you went out?—A. I gave him $10 or $15.

Q. Every time you went out?—A. Yes, every season for the two years I worked for him.

GIUSEPPE MIGNELLA being sworn. (Through interpreter.)

By Mr. Mowat:

Q. Did you apply to Antonio Cordasco for work?—A. When I came back from the country in November last I went to Cordasco and he said, 'Mignella you must make up a gang.'

Q. He asked you to make up a gang?—A. Yes.

Q. Have you had experience for some years?—A. No, none.

Q. What condition did Cordasco make, what did he tell you?—A. He says make up a gang.

Q. And did you make up a gang?—A. Yes, and I gave money to him.

Q. How many were there in the gang?—A. 42.

Q. And you paid $42?—A. Yes.

Q. How much for yourself?—A. $25 for myself.

Q. When were you promised work?—A. He promised work for the beginning of March.

Q. Were you ready with your gang?—A. Yes.

Q. And work was not given?—A. No, sir.

Q. And no signs of work?—A. No, sir; he told me to wait.

Q. Did you ask for the money back?—A. Yes, sir.

Q. Was the money refused?—A. Some of the men went to ask for the money and were told by Cordasco that he did not know them but knew Mignella, so I went myself but he said he did not know me.

Q. Did he ask you for any further sum in addition to the $1?—A. Yes, he asked me to get $2 more from each man, but I did not.

Q. Where did you get the men from, the United States or from Italy?—A. They were all living where I was boarding, 474 Lagauchetière street.

By the Commissioner :

Q. Did you know any of the Italians that came from Italy during the spring?—A. I knew some.

Q. How many ?—A. I know three from my own place and some from other places.

Q. Who brought them out?—A. Fratello; there are some here now boarding in the same house and some in court. They stated to me that they had consulted Cordasco's newspaper.

Q. What are the names of these men in court?—A. (Pointing them out.) Grisaphé, Saverio and Antonio Sicari. There were eight, three young boys in the passage and three others over there near the coils.

Q. Do you owe Mr. Cordasco any money?—A. I owe him $40. I gave him my note for $15 and I paid $10.

The COMMISSIONER TO MR. WALSH.—Has Mr. Cordasco that note with him ?

Mr. WALSH.—I will ask him to look and to bring it over to-morrow morning.

The WITNESS.—I paid $10. He marked down $15 on book and $5, he took $5 from $20 and kept it.

By the Commissioner :

Q. Did you sign a note for $40?—A. Yes. There was no amount on note, I saw only my name.

Mr. Vincenzo Sciano, being sworn. (Through interpreter).

By Mr. Mowat:

Q. Did you apply to Mr. Cordasco for work and when?—A. Yes, in November last, about the 20th or 22nd.

Q. What did you pay him?—A. I gave him $10.

Q. When were you promised work?—A. In the spring, March or April.

Q. Were you to make up a gang?—A. Cordasco told me I will give you the men, otherwise if men cannot be supplied here I will send you to New York.

Q. Did you supply men?—A. No.

Q. And did not get work?—A. No.

Q. Did you get back the $10?—A. No, sir. I went and asked him for my money, and he asked me what are you asking for, and I said I was asking for my rights, and he told me that I had no rights at all. I told him to look at his books and see if I had no rights at all, and he said your name is not in the book.

Q. When was this?—A. January last, 17th or 20th.

Q. You were not to get work until the spring?—A. I was looking for work, and he said your name is not in the book. There was a crowd waiting for work, but there was no work.

Q. But he was not to get you work until March, why did you go there?—A. I went there like the rest.

Q. Did he afterwards find your name in his book?—A. Yes.

Q. Did you ever apply again for a return of the money after January?—A. Yes, and he gave me $5 back.

Q. Did you renounce all claims against him?—A. I did not.

By the Commissioner:

Q. Where did you come from?—A. Buffalo.

Q. Who brought you here?—A. Mateo Farina.

Q. When?—A. On August 30 last.

Q. Who was Mateo Farina representing?—A. He was a foreman.

Q. Foreman for whom?—A. Cordasco.

Q. What work were you engaged for?—A. Foreman.

Q. On what work?—A. Railway.

Q. Which railway?—A. For the C.P.R.

Q. When was it?—A. We started work on September 12 last, and I arrived in Montreal about August 30. When I went to Buffalo I had a trip pass, and when I arrived in Montreal I was obliged to pay him $7. He said if you will not give me $7, I will have you arrested.

Q. Who?—A. Cordasco.

Q. What did you do?—A. I paid.

Q. $7 for the trip?—A. Yes.

Q. Was that a portion of the $10 that you paid him?—A. No, the C.P.R. gave him a free pass; Cordasco charged that for food. We were one day and a night on the road. We had no food, and of course we complained to Cordasco. He said you will find food in the car. There were two boxes of sardines, two pounds of cheese and one loaf of bread, and we paid $7 each for that, for one day and night. When we arrived about 150 miles from Fort William we told our foreman that we had paid $7 for food going down to Montreal. He said that is nothing, you will see now when you draw your pay. We paid $7.10 for a day and a night before.

Q. Where?—A. At Ignace. We went to the head office there and tried to get back our money, and the boss told us we could not, as Cordasco took that money.

Mr. Michele Tisi being sworn. (Through interpreter.)

By Mr. Mowat :

Q. Did you apply to Mr. Cordasco on November 16 last for employment?—A. Yes, sir.

Q. Did he demand money from you and how much?—A. I was working for the Canadian Pacific Railway, and I came back from work on November 14. Cordasco had told me when you come back again I will give you another job for one gang of 100. I made up a couple of gangs of 100 and paid $10 for my part and the men paid $2.

Q. Did you pay $2 to Cordasco?—A. The men paid.

Q. The men that you got paid?—A. Yes, some of the gang did. I got $78 and the others went and paid $2.

Q. And you paid $10?—A. Yes.

Q. When were you to get work?—A. There was no more work.

Q. Did he not promise you?—A. He said we have no more work, but this will remain for next season.

Q. When does the next season begin?—A. When the work goes on like last year, on November 27 I went to work with a gang of 100 men. I worked about two months with Rafaele Giasso. I had 50 men before and two foremen for 100 men.

Q. You yourself paid $2 for 50 men?—A. I did not pay myself.

Q. The 50 men and not yourself paid?—A. Yes, the men paid.

Q. After they paid when were they to go to work?—A. They went to work; I am not complaining about that.

Q. Why did you give up work?—A. I went on November 27 to work. The men paid their $2 and I paid $10 for myself on November 16. There was no work, so we waited for a few days and worked for Mr. Beemer, a contractor.

Q. You never worked for the Canadian Pacific Railway?—A. No.

Q. Did they get work with Beemer through Cordasco?—A. Yes, sir.

Q. When did Beemer's work finish?—A. I arrived in Montreal on January 27.

Q. Did you ask your money back from Cordasco?—A. I did not ask money, because I left the money there for this season.

Q. And you did not get work this season?—A. No.

Q. How long have you been idle?—A. From January 27.

Rafaele di Zazza, being sworn.

By Mr. Mowat :

Q. How long have you been in this country?—A. Fifteen years.

Q. As interpreter and foreman?—A. Foreman.

Q. Did you apply to Cordasco for employment?—A. I always worked for Cordasco since I have been in Canada, the last five years.

Q. Have you got any complaint in regard to work this year?—A. Yes, sir.

Q. Did you pay Cordasco money?—A. Yes, sir.

Q. When and about how much?—A. About the middle of January.

Q. How much?—A. $10 for a job as foreman with 83 men.

Q. How much did they pay each?—A. $1 each.

Q. When was work to commence?—A. To commence on March 1, but March, April and May went and there was no work.

Q. Did you ask for your money back?—A. No.

A. No, you thought that no use?—A. No. I tried to get a job, and we worked for a little while.

Q. Did he ask for more than $1?—A. Only $1.

By the Commissioner :

Q. Did the men get employment through him?—A. Some.

Q. Did they pay anything extra?—A. I don't' know.

Salvatore Mollo, being sworn. (Through interpreter.)

By Mr. Mowat :

Q. Did you apply to Cordasco for work on January 9?—A. Yes, sir.

Q. Have you been foreman of a gang?—A. Yes.

Q. Did he ask you to pay him?—A. Yes.

Q. How much?—A. $10.

Q. Were you to get up a gang?—A. Yes, sir.

Q. How many?—A. Seventy.

Q. Did they pay?—A. Yes.

Q. How much?—A. Sixty paid $1 each and 40 $3 for a promise of a job. I gave him $81 myself.

Q. For how many men ?—A. Some paid $2 and some $3. I paid myself for them. They gave me the money.

Q. Why did some pay $2 and some $3?—A. Some of them paid $2 more last January when they registered, and some paid $3 later on.

Q. When was that, how long after January?—A. About two or three weeks ago.

Q. In the month of July?—A. Yes, the same morning I paid $81 for 42 or 43 names, in the beginning of July.

Q. When was the work to begin?—A. In a couple of days; every time they went to the office they were told to-morrow or after to-morrow.

Q. If they were promised work on March 1 and did not get it, why did they pay him $2 more?—A. He always put off the men saying to-morrow or after to-morrow, and at last the men came to me saying they would like to get money back. I went to Cordasco to ask for the money and he said, get out or I will break your face.

Q. He would push your face in, that was within the last few days?—A. Yes, sir, when I went down to his office.

By the Commissioner :

Q. Did you get a paper like this?—A. The men do not know him at all, they know me. When I went there to his bank, he would not hear me.

By Mr. Walsh :

Q. Is it not true that Cordasco has returned some of the money to some of the men?—A. I do not know, but the men came to my house and asked for money and I told them to go down and see Cordasco.

Q. Where are these men?—A. Some have left, some were asking for money, so I borrowed $10 from a friend and gave it to them. The day after I went down to Cordasco and told him I paid $10 for the men and I said give me $10 at any rate, and he gave me $10. We could get nothing more from Cordasco, and we could not get work. We spent all our money, sometimes $6 or $7 trying to get a job. Cordasco used to tell us to-morrow, next week, but to-morrow or next week never came.

By Mr. Mowat :

Q. I see your picture in the supplement of the banquet to Cordasco, did you contribute towards that?—A. Yes, myself. I paid $5. I had no money and was obliged to go and borrow it.

SESSIONAL PAPER No. 36b.

RAFAELE DI ZAZZA, re-examined.

By the Commissioner :

Q. You sent for your wife on November 26 last?—A. Yes, sir.
Q. How much had you to pay for tickets?—A. I forget, about $42, yes $41.65.
Q. When did she arrive here ?—A. About February 27.
Q. How long does it take to come?—A. About 12 days via New York, 12 days from here.

RAFAELE ITALIANO, being sworn. (Through interpreter).

By Mr. Mowat :

Q. Did you apply to Cordasco for work on November 27 last?—A. Yes, sir.
Q. Did he say that you would have to pay him?—A. Yes.
Q. How much did you pay?—A. $10 on November 27.
Q. How much for yourself?—A. $18 altogether for myself.
Q. Did you ever pay any more?—A. No.
Q. Did you ever pay $7?—A. No.
Q. Only $18 in all?—A. Yes.
Q. When were you to get work?—A. On March 20 or 25.
Q. Did you get a job?—A. No.
Q. Did you ask for your money?—A. No, I asked him last year and he told me he did not give it back.
Q. Did you ever know him to give back any money to anybody?—A. No.

By the Commissioner :

Q. How long have you lived in Canada?—A. Four years.
Q. You lived in Montreal?—A. Yes.

GUISEPPE ZOLAIRE, being sworn. (Through interpreter).

By Mr. Mowat :

Q. Have you been employed on the C.P.R., and when did you go to work?—A. On July 3.
Q. July 3 this year?—A. Last year.
Q. When out on the work were you bitten by mosquitoes ?—A. Yes, bitten by black flies while employed.
Q. How much did you pay to Cordasco?—A. We paid $9 for three.
Q. When did you pay that money?—A. On May 15.
Q. These men were not foremen?—A. No.
Q. Did you pay the money to Cordasco himself?—A. Yes.

By the Commissioner :

Q. Why did you pay that money?—A. Because Cordasco said if you want work for the season you will bring $3.
Q. Did he demand $3 before giving employment?—A. Yes.
Q. What work were you on?—A. With a contractor.
Q. On the C.P.R. ?—A. Yes, sir. We signed a contract that they could not put me out before four months, and after working three days we were sacked.
Q. Who sacked you ?—A. The boss foreman.
Q. I suppose he was sacked too?—A. Yes.
Q. How much had he paid for himself?—A. $3.
Q. He was not a foreman?—A. No, he was just a labourer.

ANTONIO SICARI, being sworn. (Through interpreter.)

By the Commissioner :

Q. Where did you come from?—A. From Italy.

Q. When?—A. Arrived here on May 15.

Q. What part of Italy? —A. Reggio, Calabri.

Q. What made you think of coming here?—A. They sent so many circulars and newspapers and some representatives.

Q. Have you got any of them?—A. No, I have not got any.

Q. Who sent them?—A. A man named Pasano; he paid for many men.

Q. How many?—A. In my village, about 20.

Q. What cards had this man, what name ?—A. Pasano.

Q. Where did he direct you to go?—A. He gave the address to each man, and told us to go to Cordasco, and we paid 450 francs each.

Q. All?—A. Yes, all. I paid 450 francs ; there were 90 of us paid the same amount.

Q. Where were you directed to go?—A. To Cordasco; they gave us his name and address.

Q. What did you do in New York?—A. We were visited and examined and came direct to Montreal and went to Cordasco and paid him $3.

Q. You came direct to Montreal and paid Cordasco $3?—A. Yes.

Q. When?—A. We paid to the foreman and the foreman gave the money to Cordasco.

Q. How many men came over with you in the same vessel?—A. 750 Italians.

Q. Did they all come to Montreal?—A. I think there remained about 30 in New York.

Q. About 30 remained in New York?—A. Yes.

Q. Had they the addresses of Cordasco, all of these men ?—A. Yes.

Q. Did you see any circulars from Cordasco ?—A. Oh, yes, there were lots and newspapers.

Q. Do you know where any of these are now?—A. I do not know.

Q. What was on the circular?—A. It stated that any man that could come would make plenty money, so that we came to this country and left our families.

Q. Did the circular state how many men were wanted?A. It stated that every man should like to come because he could make lots of money.

Q. Did they state the wages?—A. Yes, sir.

Q. How much?—A. From 7.50 to 10 lire per day; stonemason 15 lire, or about $3 a day.

Q. When did you arrive in Montreal?—A. On May 15.

Q. Did you get any employment at all since you came here?—A. We were promised work from day to day and some got work.

Q. How many did get work, between 600 and 700?—A. I do not know, because we did not stay in the same place.

Q. Were there many without money?—A. No one had money.

Q. How were you supported?—A. Well, our friends helped us some and others helped us.

Q. How many are there now without work?—A. All these here have no work.

Q. Are there 100 without work?—A. I mean only where I board myself.

Q. Yes, only those you know?—A. There are more than 100 without work.

Q. More than 100?—A. Yes, they all go to Cordasco's bureau for work. Of course, we paid before and cannot pay any more.

Q. Does he ask for any more before giving work?—A. No, sir.

MICHELE CILLA, being sworn. (Through interpreter.)

By Mr. Mowat :

Q. How long have you been in Canada?—A. Since last May, 1903.

Q. Have you been foreman?—A. No, sir.

Q. Have you applied to Cordasco for work and did Cordasco get money from you? —A. When I arrived in this country Cordasco's brother took me down to Cordasco's, and I paid $3.

Q. Were you promised work?—A. This was last year; he gave me work.

Q. This year did you pay any more?—A. Yes.

Q. How much?—A. On March 22 last I paid $13 for 13 men at $1 each to Cordasco.

Q. Was work promised to them?—A. Yes, he said we would start with his brother on April 1.

Q. For the Canadian Pacific Railway?—A. Vincenz Cordasco left Montreal on April 14.

Q. You were promised to go with that crowd?—A. Yes, sir.

Q. You were not taken ?—A. No, sir.

Q. Did you ask for your money back ?—A. He said I will send you to work in a few days with my nephew.

Q. Did he do so ?—A. No, sir.

Q. Is it the practice for you to pay each season to be put on the register ?—A. Why should we pay.

Q. If a man goes up and comes back, has he to pay again?—A. I left job I had on ship, Cordasco promised me I will send you to work on the railway.

Q. How often have you paid Cordasco?—A. I paid him twice, once I paid $1 and then I paid $40 to Cordasco.

Q. For how many men?—A. I paid $3 for thirteen men for to get a job on the C.P.R. Some time after I went to Cordasco and told him, I have lost check, I have no work, you will give me no job, will you be good enough to give me back my money, my $40. He had a revolver in his hand and he said, if you ask any more for your money I will pull forty drops of blood from your forehead.

Q. Did that threat affect the matter, were you threatened ?—A. Yes, he had a revolver in his hand.

Q. Where ?—A. In his private house, I can swear that was in his house.

ANTONIO SICARI, re-examined

By the Commissioner:

Q. What was the name of the steamer you came in ?—A. *Santo Trado.*

Q. What line ?—A. The Italian General Navigation Company.

FRANCESCO PICIMENTO, being sworn. (Through interpreter).

By the Commissioner:

Q. How old are you ?—A. Going on 19 years.

Q. When did you come to Montreal ?—A. Arrived here April 25 last.

Q. Where did you come from ?—A. Reggio, Calabria.

Q. What was the name of the steamer ?—A. I think the name was *Ingleterra.*

Q. Who paid your passage coming out ?—A. I paid myself.

Q. How much?—A. $34.20.

Q. How many came out with you?—A. From the same village there were about thirteen or fourteen.

Q. From all parts?—A. 1,800, with the sailors.

Q. How many came to Montreal?—A. Fourteen came to Montreal.

Q. Did you come direct to Montreal?—A. The ship arrived in New York.

Q. You came to New York?—A. Yes.

Q. How many men came from the ship through from New York to Montreal?—A. Fourteen from my place; I do not know about the rest.

Q. Were there many?—A. Yes, many.

Q. Did you see any papers to induce you to come here?—A. Yes, sir.

Q. What were they?—A. They came from Montreal.

Q. What name was on them?—A. Cordasco bank.

Q. Who showed you these papers or gave them to you?—A. Some gentleman from that place.

Q. Did you know whether the gentleman was from the steameship or another gentleman?—A. I do not know.

Q. He left the paper with you?—A. Yes, he had lots of papers.

Q. What did the paper say?—A. All those who wished could come to Montreal and make plenty of money.

Q. Did you come out in the same boat as Antonio Sicari?—A. No, before him, the ship before.

Q. Did you know these men in Italy?—A. Yes, sir, in Reggio.

Q. What part of Italy?—A. Reggio Calabria.

Q. How long before you came out did you see the circulars?—A. They commenced to post the circulars in February two years before.

Q. You saw that circular two years ago?—A. There was a circular telling them to come here and make money.

Q. Whose name was on the last circular?—A. I do not remember.

Q. Do you remember the name on the Montreal circular?—A. Yes,

Q. Whose name?—A. Antonio Cordasco, Montreal.

Q. When you arrived here where did you go?—A. When I arrived at the station a cousin of mine was there, and I went with my cousin.

Q. Did you apply to Cordasco for work?—A. Yes, sir.

Q. When?—A. The middle of March.

Q. Did you give Cordasco any money?—A. Yes, I paid $3.

Q. What for?—A. I paid because he asked for it so as to send me to work in the country.

Q. Did he send you to work in the country?—A. No, sir.

Q. Has he promised since then to send you?—A. Oh, yes.

Q. Did you ask the money back?—A. Yes.

Q. And Cordasco refused to pay?—A. He said, why do you want it, you will be on the gang that will start to-morrow.

Q. Have you got any means of paying your way?—A. No, sir.

Q. How are you supported?—A. I have no more money. I was obliged to work for 50 cents a day, it ceased the other day.

Q. Are you working now?—A. No, sir.

Q. How are you supported now?—A. Last week I worked three or four days and drew a couple of dollars.

Q. Do you know any men in Montreal who came from your village this spring?—A. There is a cousin of mine here.

SEVERIO CRESAVI, being sworn. (Through interpreter).

By the Commissioner:

Q. When did you come to this country?—A. I came to this country on May 15.

Q. Where from ?—A. From Italy.

Q. What part ?—A. Reggio, Calabria.

Q. Who paid your passage ?—A. I paid it myself.

Q. How much ?—A. 215 lire ($43).

Q. What line did you come by ?—A. The Piedmonte.

Q. What line ?—A. I do not know, I think the Veloce.

Q. What induced you to come out ?—A. I saw the others starting for this country and I felt like doing the same.

Q. Did you have any circulars at all ?—A. No, sir.

Q. When did you arrive in Montreal ?—A. On May 15 last.

Q. How many came out on the same boat ?—A. 550.

Q. Did you all come to Montreal ?—A. No, sir, only 25.

Q. Where did the others go ?—A. To New Work.

Q. Did any of them come afterwards from New York to Montreal ?—A. I do not know.

Q. Did you apply to Cordasco for work ?—A. Yes, sir.

Q. How did you come to do that ?—A. He said, if you have $3 you will go to work, and I paid the $3.

Q. Why did you go to Cordasco ?—A. Well, I saw other men going there and I tried to get a job, and went there myself.

Q. Did you get a job ?—A. No, sir.

Q. Have you asked for a job more than once ?—A. Yes, I asked every day.

Q. What did Cordasco say ?—A. Well, all right, you will go to-morrow, but I never went.

Q. Did you ask for your money ?—A. Yes, sir.

Q. What did Cordasco say ?—A. He said he would not return the money, but to wait until I got a job.

GIUSEPPE AGOSTINO, being sworn. (Through interpreter).

By the Commissioner:

Q. Where did you come from ?—A. I am an Italian, I came from the province of Reggio, Calabria.

Q. When did you come here ?—A. I have been two years in Montreal and one year in Nova Scotia.

Q. Did you apply to Cordasco for work ?—A. I went to Cordasco and paid him, on December 23 last, $2, $1, for myself and $1 for my son. I paid him also $4 in the beginning of April last because he told me, you must pay as you will go to work. I paid $6 altogether.

Q. How old is your boy?—A. About 15 years.

Q. He charged $3 for him?—A. Yes, $3 each.

Q. How old are you ?—A. 54 years of age.

Q. Did you receive any work at all ?—A. I worked only two days because I was waiting. I had a chance of working two days. I spent all the money I had made last summer waiting for work. I only had a chance to work two days and have no more bread.

Q. Did Cordasco give you any work ?—A. Cordasco sent me to work, I worked one day, it was heavy work. He did not give me anything more.

Q. Where was that ?—A. I went to work one place, I do not know where. I paid 20 cents for street cars and I gave 25 cents to Cordasco that morning, he asked me for 25 cents.

Q. How did you get work ?—A. They did not give me a cent. There were six men and he asked 25 cents to go and try and get something for us to do. They did so and he said, why don't you go, and they went but got nothing to do.

By Mr. Walsh:

Q. Was not the 25 cents given to pay car fare ?—A. I paid my own car fare.

Bruno Timpolo, being sworn. (Through interpreter).

By the Commissioner:

Q. How long have you been in America ?—A. Three years in Canada.

Q. Did you apply to Cordasco for work ?—A. No, I was boarding with Giuseppe Mignella and I paid $1 to Cordasco and he said you will pay $1 now and $1 when you start work. I complained to our foreman and he said go and see Cordasco and we had promises but no work.

Q. You only paid $1 ?—A. Yes, sir.

Rafaele Taliano, being sworn. (Through interpreter).

By the Commissioner:

Q. Did you apply to Mr. Cordasco for work?—A. I signed a contract on July 6 last, to go out on the C.P.R. There was some work, but the foreman said there was three ahead of me.

Q. Who was the foreman that took your place ?—A. Cordasco told me that the C.P.R. did not want any foreman with that gang and that I would have to wait.

Q. You were in the gang ?—A. I had 86 names with 2 water boys. He took 32 and the rest remained here.

Q. Can you give the names of any of these men or when they were shipped ?—A. On July 6.

Q. And did anybody go out in your place ?—A. Cordasco told me he did not send a foreman.

Q. Did Antonio Memme go out as a foreman ?—A. Yes, Memme took my place.

Q. Had Memme applied after you did?—A. Yes afterwards, I went to him on November 27 and the other on the 28th. He signed ahead of me Antonio Memme, Adolphe Miela, Bocancelli, Miorano, all these were after me.

Q. After you ?—A. Yes.

Q. Had you been foreman before this year ?—A. Yes, sir.

Q. No fault found with your work ?—A. No, sir, I have a certificate from the superintendent.

Q. André Bocancelli went out on July 16 ?—A. I signed a contract on July 3 and Cordasco told me there were no places for bosses now, but, that man had no contract and went there on the 16th after me.

Q. You had applied before him ?—A. Then ahead of me signed Vincenzo Gaillardi a relative of Cordasco who did not want it mentioned. He send five foremen and James Cordasco, but I do not blame him for sending the latter but only when he sent strangers who signed after me.

George E. Burns, being sworn.

By the Commissioner:

Q. What is your position on the C.P.R., Mr. Burns ?—A. I have charge of the special service department of the C.P.R.

Q. Does the employment of Italian labour come under your department?—A. That is extra Italian labour.

Q. What do you mean by extra Italian labour ?—A. That is Italian labour that cannot be picked up by local agents along the line of the railway and has to be employed for extra gangs.

Q. How long have you occupied that position ?—A. In connection with the labour department since somewhere in 1900, four years.

Q. What means do you take in order to obtain this extra Italian labour ?—A. I have engaged that labour entirely through Italian labour agents.

Q. Can you mention the names of these agents you have employed ?—A. During the past three years, or since the summer of 1901, I have dealt almost exclusively through Cordasco. Previous to that I have had several others engaged, such as Mr. Dini, two gentlemen by the name of Schenker and possibly one or two more.

Q. But since 1901 you have dealt exclusively with Mr. Cordasco ?—A. I have Your Honour.

Q. Was that the year you had the strike ?—A. It was.

Q. And Cordasco got in touch with you during that time ?—A. I think the first business I had with Cordasco was in July 1901.

Q. In connection with the strike ?—A. In connection with supplying Italians to take the places of trackmen who went on strike.

Q. Was Cordasco able to supply you with all you wanted ?—A. Yes, largely, of course we were short.

Q. That was his special work ?—A. It was.

Q. I understand he visited the United States for the purpose of getting men, with you ?—A. Not personally that year, he had his agents in the United States.

Q. He has agents in the United States that he gets to work for him when necessary ?—A. I believe that is the case Your Honour.

Q. Did he visit the United States with you last year, last September?—A. He did, Your Honour.

Q. What for ?—A. He went down for the purpose of getting some agencies for steamship companies.

Q. Was that for the purpose of getting Italians from Italy ?—A. I don't know about that. The way it came about was this. He only had a regular office and was doing a large business, but he had no steamship agencies, and of course when these Italians come back from work most of them have a good deal of money which they want to send over to their relatives and friends, some for their wives and children and they buy these steamship prepaid tickets. Cordasco was desirous of getting a line of these tickets from the different steamship agents, and he came to me about the matter, and I told him he could easily get agencies if he made the proper representations to the agents in New York.

Q. You recommended him?—A. I took some steps to get these agencies for him,

Q. I suppose he paid you for your services going down there ?—A. No.

Q. He did not help out the C.P.R. ?—A. I had business down there and paid my own expenses.

Q. Did he employ any agents for getting Italian labour at that time ?—A. Not to my knowledge.

Q. Did you visit any other places than New York ?—A. No. I was only there two or three days.

Q. What was your agreement with Cordasco when you first employed him ?—A. During 1901 I paid him at the rate of $1 per man for all men he could secure.

Q. Did you appoint him sole agent for the company ?—A. I never appointed him sole agent, I have always reserved the right to cancel any agreement I had with him, there was no definite period.

Q. Did you appoint him sole agent?—A. I did not, Your Honour.

Q. You have seen his advertisement from time to time?—A. I have.

Q. In which he states that he is sole agent?—A. Yes. I think that is the translation that he is the only acting agent for the C.P.R.

Q. Besides being an immigrant agent he is interested in a newspaper called 'Corriere del Canada' ?—A. I believe he is the owner.

Q. You advertise in that, do you, Mr. Burns ?—A. There is an advertisement there.

Q. Who inserts that advertisement, yourself or Mr. Cordasco ?—A. Mr. Cordasco paid for it, I never paid anything for it.

Q. He pays for it ?—A. Yes.

Q. Is it with your authority, you authorized it ?—A. Yes.

Q. This is the paper and avertisement. (Paper produced). I think that is one of the last issues. Mr. Cordasco put that in there?—A. I believe he did. He did not charge for that.

Q. In addition to that he has cards printed as agent for the C.P.R., has he not ?—A. I have never seen any of these cards, Your Honour.

Q. None of Cordasco's cards ?—A. I saw some of Cordasco's cards a couple of years ago, but did not know the C.P.R. was on the cards.

Q. That was after you appointed him agent ?—A. That was before the opening of the season of 1902. I had to make provision for a large number of men, we were always short of labour, and I thought we would have to employ a lot of Italians perhaps in 1902. I went to Cordasco and told him verbally that, it may have been in the end of 1901, but along there or the beginning of 1902, and I told him verbally that I expected to do a large business, but that things had been more or less unsatisfactory with the large number of other foreigners that I had hired previously from out west. I was desirous of getting business arranged so as to have the least possible trouble. I wanted men I could trust and I was prepared to pay well for them and I did not want anybody to go into this business without making money, as I was quite aware that unless inducements were offered we would not have any guarantee that the gentlemen employed would be absolutely straight, and it was my desire that there should be money in the offer.

Q. How much money did you say would be in it ?—A. I did not say at the time, I have figured since $3,000 or $4,000.

Q. That is what you intended to pay ?—A. Not entirely. I knew it was necessary, it was customary for agents to get fees out of their men, but did not figure that from the number of men. I thought that possibly he might make $3,000 or $4,000 a year.

Q. Was that all you offered him ?—A. I told him I would pay him $5 for every day he worked, and if he only worked part of a day, then he was to be paid proportionately. Also that I would allow him any expenses he might make in drumming up men. Frequently we have to send men out to drum these men up and we have to pay their expenses. I agreed to these matters on the verbal contract.

Q. That was a verbal contract at that time, was that carried out by his actually charging that ?—A. It was Your Honour.

Q. He rendered his accounts to you from month to month and was paid this sum of $5 per day. Have you some of these accounts ?—A. They are at the office.

Q. You might bring the whole of last year's accounts to-morrow morning?—A. All right.

Q. That has been carried on until when ?—A. Until last April.

Q. And a change was then made ?—A. We had some trouble with the Italians, the first we had, who were employed through Cordasco and certain statements were made in the judgment that was rendered, which were adverse to the C.P.R., and I was instructed that it would not do for our company to be mixed up in this sort of thing and to make some other arrangement.

Q. What was that judgment ?—A. I think it was that of one named Vaccha versus the C.P.R.

Q. Have you got a copy of that judgment ?—A. I will try and get a copy.

Q. It was in consequence of that judgment that you thought it was necessary to change the system with Mr. Cordasco ?—A. Not necessarily with Mr. Cordasco alone but to change the arrangements so that it could not be said that the C.P.R. had accepted any fees from any of their employees.

Q. I cannot understand what you mean by that.—A. Well, I think, Mr. Justice Curran when delivering judgment made the statement that by Cordasco accepting this fee, which was always customary, from the labourer, therefore the C.P.R. which had

appointed him agent participated in this fee, and I was instructed that it did not look very well.

Q. Then you say he had been receiving fees from workmen ?—A. He collected $2 apiece from these men.

Q. How long had he been doing that ?—A. He had always been collecting $1 for registering and $1 for getting the job.

Q. Did he make any difference to your knowledge with respect to foremen ?—A. Yes, Your Honour, I believe he did.

Q. How much did he charge them ?—A. I understood he charged them $10.

Q. And he charged you $5 a day for the same work ?—A. I forgot to state that by the agreement he was to devote his services to me when I demanded them and that he was to supply me with men before anyone else.

Q. You were his first choice?—A. For instance, last year he had orders from the G.T.R., the Dominion Coal Company, from H. J. Beemer and others, but I wanted men badly and he had to supply me.

Q. In consequence of that agreement ?—A. Yes.

Q. Then what was the change made in April last ?—A. In April last, I went to Cordasco and told him he was not to make any charge pending a regular written agreement, which I had been instructed by our solicitors we ought to prepare, a contract with our labour agent so that there would be no question about these matters in future. We were expecting shipments every day and if some came along, pending this agreement, I told him I would pay him $1 per head with the understanding that he would collect nothing from the men.

Q. That included foremen as well ?—A. That included everybody.

Q. Do you remember that date?—A. Some day prior to April 23, perhaps it might be a little earlier.

Q. Has that agreement been acted upon by Cordasco since?—A. I will say this much for Cordasco, he came up to me after the first gang went out and asked me if this agreement would apply to these men from whom he had taken $1 last year in November or December.

Q. And did not want to pay it back ?—A. I suppose so. He said they have been living around my office and their dollar has been earned by me. I said we will say nothing about that, but in future, any you may employ for the C.P.R., no fees must be collected.

Q. You could not deal with anybody else ?—A. He hires for other people.

Q. Has he carried out that contract by charging the C.P.R. $1 for each man he has employed ?—A. He sent in his bill but I have not paid him.

Q. For how many months ?—A. For April and May.

Q. For June ?—A. I think, the June bill is not in yet.

Q. I thought I saw that ?—A. I do not think so.

Q. It had been in your room, I have a memo of it?—A. Mr. Skinner will be able to testify as to that.

Q. Have you got the month of May. Mr. Walsh says the June account is in, Mr. Burns ?—A. Yes, May and June are together.

Q. Has the April month been settled and paid for ?—A. No, Your Honour.

Q. It has been initialled by Mr. Skinner, is that correct ?—A. Yes, Your Honour.

Q. And who else has it been initialled by besides Mr. Skinner ?—A. Initialled by Mr. Lancey.

Q. Is he your assistant ?—A. He is my assistant.

Q. Why is it initialled by Mr. Lancey as correct ?—A. Only as correct as to rate for service to be performed.

Q. Have the May and June months also been initialled in the same way ?—A. Both are initialled by Mr. Skinner, and Mr. Lancey certifies to the voucher part as correct.

Q. Mr. Skinner is the one really in charge and certifies to the work being done ? —A. Yes.

Q. And you accept his certificate ?—A. Yes.

Q. Do you not go into the items ?—A. Occasionally.

Q. Only when any difficulty arrives ?—A. Well, I certify vouchers in every month.

Q. Have you in any case certified the items without your attention being first called to any portion of them ?—A. Yes, I have turned them back lots of times.

Q. These were paid, they were passed as they now exist ?—A. These were paid, but I cannot say as to whether the bills, as practically vouched for are the same as first presented to our company. In almost every case for a long time past there have been disputes about these bills.

Q. In what respect ?—A. Likely paid too much for what we got done and for other causes. Instead of passing them with the items scored out they were rewritten.

Q. He could not succeed in getting his first claim through ?—A. No, Your Honour, I paid exactly what was right. The whole bill was rewritten and the old bill destroyed.

Q. Your method of getting workmen was to call upon Cordasco for a certain number when you needed them ?—A. We are entirely dependent upon orders from the divisions, which come through the superintendents, and we have no means of stating exactly when men are required, and formerly the superintendents would send in orders and they do yet. These orders are generally by telegram. Mr. Skinner is telephoned, and if he is busy, Mr. Cordasco is called upon to arrange the matter. A copy of the telegram sent in by the superintendent is sufficient notice for him to go ahead.

Q. How many men did you employ last year ?—A. Altogether about 8,500.

Q. Of that number, how many were Italians ?—A. 3,144.

Q. Then at the end of the year you would estimate the number you would require for the following season ?—A. As far as Italians are concerned.

Q. As far as the whole work is concerned ?—A. Yes, sir.

Q. Did you do that last year ?—A. Yes.

Q. And how many did you estimate last fall for this year's work ?—A. Your Honour, a great deal depends upon certain conditions as to whether one can make a proper estimate as to what labour is going to be required in the following year. Last year the market was all down and money was tight and every one thought there was going to be no works going on this summer. All contractors and others were on uneasy street and could not get any idea. It was impossible for my department at the time to say how many men would be required, and it looked as if we would have to utilize the men in Canada first before taking up this Italian question. I may say that sometimes we have been obliged to go to the United States to bring Italians here to send to the North-west, and last year I do not suppose we took more than 1,200 out of Montreal.

Q. And how many from the States ?—A. A great portion.

Q. Over 2,000 ?—A. About 2,000.

Q. What part of the States did they come from ?—A. Principally from New York and Boston, I think more from Boston.

Q. Did Mr. Cordasco get these men ?—A. He arranged that matter for me.

Q. And when winter came on these men returned home ?—A. Most of them did. Last year 300 men stopped in Montreal, I suggested that.

Q. How many men did you estimate for this season's work last fall ?—A. I do not think I made any estimate one way or another.

Q. What means do you take to ascertain the requirements of the service ?—A. I send out to many contractors and men accustomed to employ labour and make inquiries. In addition to that I ask all the general superintendents on the line what their experience was before and what they would require for going on. In regard to the year before, I asked them their experience as to when the men quit, and requested them to state exactly how many men stayed with the company and did not jump their contracts. I thought by this means to form some idea as to the requirements for 1904, and, as I stated before I was not able to foresee.

Q. Did you not get any answers to your letters ?—A. I did, Your Honour.

Q. How many men, in round figures did you estimate as being required for 1904 ? —A. I have forgotten, I do not remember what such number was.

Q. Do you think you can find anything about it in your files ?—A. Mr .Skinner may find something.

Adjourned until 10 a.m. on July 22, 1904.

THE COURT HOUSE, MONTREAL, July 22, 1904.

10 A.M.

The Commission resumed.

PRESENT:

His Honour JUDGE WINCHESTER, *Commissioner.*

H. M. MOWAT, Esq., K.C., *Counsel for the Dominion Government.*

A. J. WALSH, *for Antonio Cordasco.*

Mr. JOHN HOOLIHAN, being sworn.

By Mr. Mowat:

Q. I understand that you have been for some years employed in the Immigration Department of the Government, how long ?—A. About twenty years.

Q. What is your official position?—A. Dominion Immigration Agent.

Q. At Montreal ?—A. At Monteral.

Q. How long have you been in that position ?—A. I suppose about 10 or 12 years.

Q. Has the Dominion Government any agencies in Italy for the purpose of sending out Italian Immigrants?—A. I do not think so, I never heard of any.

Q. Were you here in the month of April and May last?—A. Yes, sir.

Q. When a large number of Italians arrived without having any work provided beforehand ?—A. Yes.

Q. It has been stated here that advertisements were put in the Italian papers and other newspapers saying that as many as 10,000 men were wanted, good wages,&c., from your observation and your knowledge of the business and the interests of the country what is your opinion of that ?—A. Well, I think, the advertisement exaggerated, because 10,000 or 15,000 coming in at once, why there would be no employment for them. It would be impossible to find employment for such a number of men at once.

Q. This would constitute a positively disturbing element?—A. I think it would unless they were provided with funds or had a society to take hold of them and manage for their maintenance or shelter.

Q. How costly would that be from your knowledge ?—A. For an ordinary labourer's maintenance, about $3 per week.

Q. And any society would have to be well equipped with funds to handle such a crowd ?—A. Yes, sir. Not only with funds, but with shelter, accomodation, sleeping apartments and all that sort of thing.

Q. In your opinion would it be reasonable to ask of such societies that they should provide shelter ?—A. There are several societies in Montreal which provide for their own immigrants, such as the St. George Society, St. Andrew's Society. These provide everything required for the accomodation and maintenance of immigrants here for two or three days during their sojourn in Montreal.

Q. Just during their sojourn of two or three days, how many would they provide for?—A. No more than 15 or 20 at a time.

Q. In each case there were 1,000, 2,000 or 3,000?—A. Well, there would be no accomodation for them. Not only that, but their would be no work, or work could not be provided for more than four or five days.

Q. Was that the state of affairs in May last?—A. That was about it, the supply of labour was in excess of the demand. In the first place, we had a very late spring and there was no demand at the time for out-door labour. The C.P.R. and G.T.R., each employ a large number of navvies but were not in a position then to give them work.

Q. Is it your opinion that this immigration should not be encouraged unless there is actual work in the city?—A. Of course it would be better to have these people arrive in reasonable numbers, that is 10, 15 or 20 a week, or perhaps 30 or 40 a week. Mr. Candori could manage these.

Q. That is the extent that could be handled?—A. That is during the spring time.

By the Commissioner:

Q. What effect would such a large number have on the market for unskilled labour in Montreal?—A. Well, I think, it would have a very bad effect.

Q. In what way?—A. The supply would be in excess of the demand. Our labour market would not require such a number in a short time, for the period of two or three weeks.

Q. What would the result be?—A. Wages would decline, and it would upset the market altogether.

Q. Do you know if that actually took place?—A. No, I do not, I did not inquire into that.

Q. How many immigrants came to Montreal from Europe during the year, say for the last two or three years?—A. I would have to look up the record. I cannot answer that question just now. I can get you the data.

Q. Have you any data from which you could give me that?—A. From Europe through Montreal, well these people passing through all other ports, Quebec, Halifax &c.?

Q. All coming from Europe into Montreal?—A. Well we have had an immigration of about 130,000 last year, and a very large majority passed through Montreal.

Q. How many came from Italy?—A. Oh, I don't know, I suppose 6,000 or 8,000 came in March and April of this year.

Q. Where from?—A. From Italy and from the States.

Q. What proportion came from the States?—A. I would say about one-half probably.

Q. How many Italians are there without work to-day in Montreal?—A. I do not think there is one, for any man who is able and willing to work can find employment in Montreal.

Q. There were two or three yesterday who stated that there were about 100 unable to find work?—A. Lots of people are not willing to work. These people you will find in all large cities, the never-do-wells.

Q. How many were destitute in April or May last among that number of about 6,000?—A. I cannot tell you exactly, but I do not think there were many, not more than 25 per cent of the whole lot.

Q. Was it about that number?—A. From what I could learn.

Q. About 800 might have been destitute?—A. I cannot tell you exactly.

Q. Did you make any inquiry as to that?—A. No, I did not.

Q. Then you say that the Dominion Government does not induce any Italians to come to this country by having an agency in Italy?—A. I do Your Honour.

Q. Are there any means taken by the Dominion Government to assist the Italian immigration?—A. Well, nothing except our agents in the old country.

Q. What part of the old country?—A. England, Ireland and Scotland, and I think an agent in Belgium, I do not know of any in Italy

Q. Have you anything to do yourself with the immigration of Italians?—A. I distributed about 35 of these people, sent them to Ontario to work.

Q. Did you have any literature sent to Italy?—A. We have no literature in the Italian language.

Q. You have not any?—A. No.

Q. You have not sent any?—A. No.

Q. Would you know if literature were sent by the Government to Italy?—A. I do not know what our department at Ottawa might send, but from here we had nothing in the Italian language.

Q. Did any of these Italians who come to Montreal call upon you for assistance?—A. Well, a few, very few.

Q. What assistance did they ask for?—A. They wanted meals or the price of meals.

Q. How many of them?—A. About ten or twelve.

Q. Where did they come from?—A. They told me they came through the States from Italy.

Q. What time was this?—A. I think last March.

Q. Have you any oversight of the labour bureaus in Montreal?—A. No, Your Honour.

Q. Have you any supervision over them at all?—A. Now, if you will allow me to state in connection with the Italian immigration of last spring, I may say that they were a very competent lot of people, of strong, healthy figures, that is working people, they were fully competent for labourers' work.

Q. For what class of work?—A. For common labouring work, and their ages ranged from about 18 or 20 to 35, men in the very prime of life, and all they wanted was work. They did not want charity from anybody, but I believe had spent all their money on the way out here. It costs a lot of money to get here in the first place, having to pay passage money and other expenses, and very few people come here with a large amount of money in their pockets, but some of these people were, I do not say were destitute altogether, but when they had to remain here for some time were without funds, and had to fall back on the Italian society, of which Mr. Candori is secretary. He did his duty thoroughly, and then Mr. Dini, an old friend of mine, who has been keeping an agency or labour bureau for Italians has also been zealous and indefatigable in the performance of his duties, I can testify to that.

MORTIMER WALLER being sworn :

By Mr. Mowat:

Q. What is your business?—A. Employment agent, sir.

Q. How long have you been acting as employment agent ?—A. About eighteen months.

Q. What class of men do you employ largely ?—A. Mostly Italians.

Q. For what work do you employ them ?—A. Railway work as a rule.

Q. How many have you employed this year ?—A. About 450.

Q. Where is your place of business?—A. 1887 Notre Dame street.

Q. What means do you take in order to get these men?—A. I have orders from different companies asking me if I can supply them with men.

Q. How do you get the men ?—A. I never found any difficulty in getting lots. They come to the office for employment.

Q. Do you find any difficulty in getting the desired number ?—A. Not until now except in the last days of the summer.

Q. You have always been able to get the number you desired ?—A. Yes, sir.

Q. What terms do you impose upon these men in giving them employment ?—A. I charge them $2 each.

Q. How much do you charge for foremen ?—A. As a rule nothing at all.

Q. There is an exception to that rule ?—A. Yes, sir, sometimes a foreman has not got a complete gang and has to take time to get a gang up. If a man has a gang already I charge him $5.

Q. And his gang $2 each ?—Q. Yes.

Q. Do you give them work for that money ?—A. Yes.

Q. Supposing that you do not get them work in the time stipulated, what do you do ?—A. I give the money back.

Q. You refund the money ?—A. In a reasonable time.

Q. How long a time ?—A. When I have given the money back to the men ?

Q. Yes.—A. I have given more than $1,000 back since May. When I know that I will have work for a man within a few days, or if sometimes a man refuses to work and asks for his money back, I do not give it to him.

Q. What railway companies do you supply men for ?—A. I have supplied 200 to Mackenzie & Mann, I have supplied a few men to the Grand Trunk, I am sending a lot to a mine down in Quebec and different places.

Q. Any to the C.P.R.?—A. No, sir.

Q. Have you supplied men for employment to the C.P.R. ?—A. No, I only inquired whether I could supply some.

Q. With what result ?—A. No result.

Q. To whom did you apply ?—A. I applied to Mr. Burns on one occasion.

Q. What was his answer ?—A. He was not wanting any men at all.

Q. How many men have you on your books now for employment ?—A. Not more than 50 or 60.

Q. Have you work enough for them ?—A. I want about 200 men to go away next week.

Q. Where to ?—A. Well, I want a gang to go to the Seven Islands.

Q. Where is that ?—A. About 300 miles below Quebec.

Q. Have you any agency in Italy for the purpose of getting men from there ?—A. No, sir.

Q. Have you any agency in England for the purpose of getting men?—A. No, sir.

Q. What means do you take for getting men besides those coming into your office ?—A. I know several Italian foremen and ask them.

Q. Do you advertise ?—A. I never advertise for Italians.

Q. You remember the large number that were here in April and May last ?—A. Yes, sir.

Q. How many were there here, do you recollect ?—A. I think any way between 8,000 and 10,000.

Q. Do you know where they came from ?—A. Well, in so far as I know, they came from the States, a lot from Italy.

Q. Do you know why they came here and what induced them to come to Canada ?—A. I cannot say that I know. I only heard of advertisements being inserted in Italian papers telling of plenty of work when they got here. I know that a lot of the men got very disgusted with Canada since coming here and they will not come back.

Q. They had too rough an experience. Is there anything else you would like to state in connection with this investigation, Mr. Waller ?—A. No, sir, I do not think so. Only I think myself that Englishmen should have as fair a chance of supplying this Italian labour as the Italians themselves.

Q. You think that an Englishman should have as good a chance to supply this labour ?—A. Yes.

Q. You think that Englishmen have not that chance ?—A. No ,sir.

Q. Why ?—The companies like the C.P.R. will not go to anybody but Italians for the men.

Q. Could you supply all the men the C.P.R. would require duirng the year ?—A. I could supply a big majority.

Q. Could you supply 3,000 or 4,000 ?—A. Yes, sir .

Q. You say that pretty emphatically ?—A. I do, sir.

Q. What means have you to supply these men ?—A. I would have every foreman with me. I have always treated the men and foremen well who came to me for work and they will not go to anybody else.

Q. Have you had any difficulty with the men ?—A. Very little difficulty .

Q. Have contractors made any complaints about them ?—A. No, sir, I do not know of any complaints whatever.

Q. And you believe you are in a position to supply as many Italians as may be required on these railway works ?—A. Certainly.

Q. Have you a list of the names you sent out?—A. I have a list of most of the names.

Q. Now, what methods do you adopt in order to get supplies of these men, and what do you charge them?—A. I charge the men a fee, as I told you, and each foreman. I give them a printed receipt for the money, and if I cannot get them work and they bring back the receipt to me, I return the money unless I know that I can get work within a few days, when I refuse to make a refund.

Q. You give a similar form of that receipt, Mr. Waller, each man who pays gets a receipt ?—A. Either himself or the foreman.

Q. And if you cannot get work within a reasonable time you refund the money ? A. I refund the money.

Mr. Internoscia.—If Your Lordship will allow me to put a few questions.

Q. Mr. Waller, will you explain to the judge why you had some trouble with Giuseppe Lisa and why you have not paid him the balance of $38?—A. I have not paid the balance of $38 because I had work to give these men in the course of a few days, and after I asked them they refused to go to work.

Q. You told them to go to work Monday morning, Monday afternoon would not do. When did you receive $80 from Mr. Lisa, what date ?—A. I cannot tell without looking at my books.

Q. Was it not on May 13 ?—A. I paid him back $70.

Q. When you were told that these men from whom you received $2 each were going to leave town, why did you not pay them ?—A. They were going to leave town, and broke their agreement with me.

Q. Did you not tell Mr. Lisa that you would be able to send these men, about 50 men, on May 15, while you received the money on the 13th and only sent them on May 15. Did you pay the money back ?—A. I paid back a portion of the money, the balance of $38 I refused to pay because I sent these men away and they refused to go.

Q. Did you promise the men yourself?—A. I offered the men work and they would not take it.

By the Commissioner:

Q. If the men would not go after being told where to go, it is their fault.—A. They can go this week and I am willing enough to take men if they will go.

Mr. Alberto Dini, re-examined.

By the Commissioner:

Q. You are already sworn. (Showing him a letter). Do you remember receiving that letter from the firm of Corecco & Brivio ?—A. Yes, sir.

Q. You will give the English of it ?—A. Well I cannot, Mr. Internoscia will. Will you address him ?

Q. I will.

By Mr. Internoscia:

This letter is dated May 7, 1904, and is from Bodio ,Switzerland, and addressed to Mr. Alberto Dini, Montreal:—

'You are already aware that our firm has had your address for several years, having during that time sent you a great number of labourers. They received from you all the help and information possible regarding work and we have no doubt that our sending you such men has caused you some trouble.

'You are also aware that our firm is corresponding with the "Societa Anonima di Emigrazione, La Svizzera," as well as with other agencies of emigration of Switzerland, which have been regularly and legally constituted.

'You do not ignore that a brother of Mr. Schenker, one of those who has opened an office in Montreal for the exchange of money in order to compete with you, has lately opened an office in Chiasso, Switzerland, and gets passengers from Italy through the help of Schenker who is in Montreal. The latter sends to his brother in Chiasso notices and orders for the shipment of men, and the brother reads the notices to the passengers mentioning the ships they ought to go by.

'Having had knowledge of this action on the part of Schenker we took the liberty of addressing ourselves to you in order to advise you and inform you thereof and to ask if it would be possible for you to do something for us in the matter.

In order to facilitate the thing for those who wish to go to Montreal through friends you can exact yourself in Montreal the amount of the passage money. Send us an order for shipment, saying at the same time that you should pay us only 170 francs from Chiasso to Quebec. All that you can get above that from the interested parties will remain to your benefit.

'It is understood that our shipments will be executed as far as we are concerned with accuracy and precision.

'We enclose herewith a list of the dates of sailings of the ships of the C.P.R, plying from Antwerp, and we beg you to reply to us and hope that the same may be favourable.

'We remain,

CORECCO & BRIVIO.

'P.S. You can interest yourself in another way by suggesting to those who want to get their people to Canada, to take or get transportation through our firm. Or you may give us the address of the immigrants so that we may write to them and offer them our services. When the shipment is finished we will send you a commission, such as it may be possible for us to pay.'

Q. Do you know this firm, Mr. Dini ?—A. No, sir.

Q. They say that they have been communicating with you for several years ?—A. Well, I told you yesterday that men coming from Chiasso gave me a card.

Q. Very many men ?—A. No, sir.

Q. When did you receive this letter?—A. I do not remember, in April or May.

Q. What did you do on receipt of it ?—A. I never answered it.

Q. Did you not write to them acknowledging receipt ?—A. No, sir.

Q. That was not very nice ?—A. I don't know.

Q. You did not write ?—A. No.

Q. You received another letter from Chiasso, dated May 12 ?—A. Yes, I got two.

Q. Do you know what it says, what is it in English ?—A. You had better give it to Mr. Internoscia.

Q. I have a translation here, it reads:

CHIASSO, May 12, 1904.

'SIGNOR ALBERTO DINI,
2026 St. Catherine St.,
Ottawa.

'By this letter I wish to inform you that a certain Pedratta Ferrari Filippo will sail to-day from Antwerp by steamer *Montezuma* to Quebec and from Quebec to Montreal; he will introduce himself to you. He has your address with him like the others. This man should go to Reno, Nevada, and I pray you to do your best to see that he arrives safely at his destination. He is a person from my neighbourhood. You might furnish him with a ticket, and you will oblige us if you will credit me with the commission on that ticket.

'Societa Anonima d'Emigrazione, La Svizzera,
'IL DIRECTTORE.'

A. Some men wish to go to the States and they were recommended to me to do the best I could for them.

Q. Do you remember this man going to the States ?—A. I think I do.

Q. He went to the States ?—A. Yes. I do not know everyone that goes to the States.

Q. How did this society get your address?—A. Well I cannot say it is long ago.

Q. They have known you for many years ?—A. I cannot say it is long ago.

Q. They have known you for many years ?—A. Not me, but my address.

Q. The letter states this man has your address? A. Is that the yellow card ?

Q. Are these the cards that were brought out ?—A. Yes.

Q. Did you send them to this company ?—A. No.

Q. 'You might furnish him with a ticket,' what does that mean ?—A. I do not know, he wanted to go to the States.

Q. 'And you will oblige us if you will credit me with the commission on that ticket'?—A. I never credited him with commission, of course I got no commission

Q. Did you write an answer to this letter ?—A. No sir.

Q. Now, you remember the advertisement you were speaking about yesterday, which Mr. Mowat asked you about, as to 10,000 men for next spring ?—A. I saw it in the Italian papers.

Q. How much did you pay for the advertisement?—A. Nothing.

Q. Did you give Mr. Di Rossa something for it ?—A. No, sir.

Q. You did not pay for the advertisement in Montreal ?—A. No, sir.

Q. Are you sure that you did not answer that letter ?—A. No, sir.

Q. Have you any other letters that you received ?—A. I only got two letters.

Q. You told me yesterday you had nothing and I found this ?—A. I was giving a couple of people a sheet of paper in my drawer and came across these two letters from Chiasso, I did not remember them.

Mr. BURNS, re-examined.

By the Commissioner:

Q. When we adjourned last evening we were inquiring into the question of the estimated number of labourers you would require for 1904?—A. Yes, Your Honour.

Q. Well, now, you told me that you had written to some superintendents for information so as to enable you to estimate the number?—A. Yes, Your Honour.

Q. What was the result of your efforts to estimate that number?—A. The effort was fruitless. On looking over the matter, I found that some superintendents did not give correct information, some delayed answering so long that as a matter of fact the spring was so far advanced, and we saw that there was going to be a large number of labourers in America, and we dropped the whole matter. There was no estimate.

Q. You stated last evening that you thought there would not have been so many required for 1904 as had been used in 1903?—A. That statement was based on inquiries I had made, and the result of this communication was that I thought there would be a stringency in the money market and, consequently, probably few works of any importance going on throughout the country.

Q. That is what you explained?—A. Yes.

Q. Was that your opinion at that time?—A. It was, Your Honour.

Q. Now you said you had about 8,000 or 9,000 on the list in 1903, of which about 3,100 were Italians?—A. Yes.

Q. Now, how many did you think you would require for 1904, the Italian part of that number?—A. I had no idea whatever.

Q. Did you think you would require as many in 1904 as you had in 1903?—A. It is quite impossible to determine, I will tell you why. The Italians on our line are used to replace those men in the North-west Territories who have been employed earlier in the season on contracts, and to whom at this time of the year, July and August, when the harvest starts, the farmer offers high wages and they jump their jobs, and the work is left behind, and we have to rely on anything we can get. As a rule they come here for labour, as there is none in the west, and the only thing that is found is Italian labour.

Q. Your duty is to provide them in case of emergency?—A. Yes.

Q. What means do you take to provide them?—A. That was generally all right, it does not require particular action.

Q. It required some information from your agent who employed them?—A. We kept pretty well posted as to labour immigration in New York and in Boston.

Q. Who got that information?—A. We get correspondence that would show.

Q. That correspondence with Cordasco and others would show exactly, but these were letters which you really did not answer then?—A. Yes.

Q. But you relied upon Mr. Cordasco to supply you with all the Italians you wanted?—A. Well, I heard.

Q. You relied upon him?—A. Yes.

Q. If you relied upon him, I suppose it was necessary to give him some information as to the number you required?—A. Well, I have never given him any definite information.

Q. Never any definite information?—A. No.

Q. Did you give him any information as to the number you would require in 1904?—A. None.

Q. None whatever?—A. None whatever.

Q. Never spoke about it?—A. I may have discussed the matter.

Q. Have you discussed the matter with Mr. Cordasco as to the likely number you would require in 1904?—A. It was possible.

Q. Do you know how many you suggested to him?—A. I do not remember suggesting any number.

Q. No number likely to be required?—A. No.

Q. To any body else?—A. No, sir.

Q. Do you remember saying to anybody that the Grand Trunk Pacific would require a great number?—A. No, Your Honour. I may have inquired if the Grand Trunk Pacific would require them.

Q. But you never mentioned that to anybody?—A. We may have discussed that matter.

Q. With Cordasco?—A. Yes, it was discovered that the Grand Trunk Pacific was not going to require any Italians.

Q. When did you discover that?—A. I think late in the spring.

Q. This year?—A. Yes.

Q. You lay your plans before spring opens, so as to arrange things?—A. We did not this season.

Q. I thought you stated you inquired late in the fall to get the number?—A. We inquired through the general superintendent.

Q. At that time had you no idea of the number that would be required on other lines as well as on your own ?—A. No, Your Honour.

Q. None at all ?—A. No.

Q. I think there was correspondence to show that was the case. (Looks at correspondence.) Look at that letter, Mr. Burns. (Mr. Burns reads letter.) Was that letter written by you Mr. Burns ?—A. Yes.

Q. And I suppose the statement there is an estimate?—A. That is in December.

Q. I am talking about December ?—A. Yes, Your Honour.

Q. That was your opinion at that time ?—A. I was thinking about the spring.

Q. I was referring to the fall not the spring, Mr. Burns. Now your letter reads as follows :—

'10th December, 1903.

'F. P. Brady, Esq.,
'Asst. General Superintendent,
'Winnipeg, Man.

'Dear Sir,—Referring to the attached, my object in asking for this information is to make adequate provision early in 1904 for the labour requisitions during the season of that year.

'This year we had an unprecedented demand for labour from all sources over this company's lines, and we have shipped out in the neighbourhood of 10,000 men, skilled and unskilled, so you see that it is very important for us to know what proportion of those sent out on the lines worked out their contracts, so that some information may be obtained as to the reasons for so many men jumping their work with a view of remedying that state of affairs during the coming season. It is also necessary to find out what the local supply of labour is on each division.

'As you are possibly aware, there is every indication of a large demand for labour in this country in 1904. I am informed that possibly the Grand Trunk Pacific may want a great many thousand men, and as the supply of labour is limited in Canada, steps may possibly have to be taken on the part of our company to import labour from abroad, or make some definite arrangement in regard to the supply available in Canada.

'I am sorry to trouble you for this information, knowing you are so very busy, but I would like very much to be in a position to make my report about the first week in January, 1904.

'Would you kindly strain a point to get your superintendents to forward information desired.

'Yours truly,'

Q. That was your opinion?—A. That was at the time. I presumed the Grand Trunk Pacific was going ahead.

Q. At that time that was your opinion, Mr. Burns?—A. Well, if it was not I would not have stated it.

Q. You stated yesterday that your opinion was just the other way, that the same number would not be required in 1904 as in 1903 ?—A. Well, I think that I took into consideration the Grand Trunk Pacific project when I wrote that letter.

Q. I know that I was asking you what your opinion was in the fall of 1903. You stated your opinion was that a large number would not be required. Now you wrote in December you would require more. Which is correct ?—A. It is difficult to reconcile both, although I utilized the information I had on hand when I wrote.

Q. The information which you had in your mind in the fall of 1903 ? Was it that you considered then you would have a greater or a lesser number of employees in 1904 than in 1903 ? You told me yesterday you would have less. In this letter written on December 10, 1903, you say : 'As you are possibly aware there is every indication of a large demand for labour in this country in 1904 ?—A. Well, the only explanation I have is that I was a little defective as to the time or place.

Q. I think it is part of your duty. When I was trying to find the aggregate number in former years, you showed me a statement to the effect that you did not think that you would require so large a number. Which is correct, your recollection or the letter ?—A. I should say my letter.

Q. How soon did you speak to Mr. Cordasco about supplying the C.P.R. with Italian labour ?—A. I have no recollection of speaking to Mr. Cordasco about Italian labour, as to giving Cordasco any definite idea.

Q. I do not want anything definite at all, when you spoke to him it would be as early as September, 1903 ?—A. I do not think so.

Q. December ?—A. No.

Q. You understand Mr. Cordasco's position. He would have to get men, he would have to make arrangements ahead ?—A. Certainly.

Q. How long ahead would he require to make arrangements ?—A. It just depends on the state of the labour market.

Q. It is not a question of the labour market, supposing 10,000 men were wanted, how long ahead ?—A. It just depends on the season and state of labour market.

Q. You were beginning to look for men as early as the opening of spring, now when would you require to inform Mr. Cordasco ?—A. I do not think I ever made any preparation.

Q. Did he ?—A. Not to my knowledge.

Q. Not to your knowledge ?—A. Not to my knowledge, I do not know, he made no preparation whatever.

Q. Never advertised ?—A. I do not know whether he ever advertised.

Q. You advertise in the same paper he does, you get that paper ?—A. I have never seen his advertisements for men.

Q. You remember the advertisement Mr. Dini says he put in in consequence of the advertisement of Mr. Cordasco ?—A. I do, Your Honour.

Q. That was done in 1903, was it not ? (Shows paper). This is for next spring. Can you read the advertisement and say what was in it ?—A. Yes, Your Honour.

Q. You say these labour agents had to prepare sometime ahead and you had to prepare some time ahead ?—A. No, the preparation was not made. We had no data to go on.

Q. I understand that you were preparing to get ready for the work ?—A. We were looking around.

Q. Did you speak to Cordasco ?—A. No, sir.

Q. You did not speak to him at all ?—A. I spoke to Cordasco several times.

Q. When ?—A. In the course of the winter.

Q. When you were writing these letters ?—A. Hardly before I wrote these letters.

Q. Would you know better ?—A. I might have, but I do not think so, it is rather hard to remember the exact time.

Q. I do not know that it is very hard, it is your business to meet the general press of business ?—A. Yes. Possibly the Grand Trunk Pacific might want a great many thousand men, as the supply is limited in Canada, steps would possibly have to be taken by our company to import labour from abroad or make some definite agreement as to the supply of labour.

Q. That was your opinion at the time ?—A. Yes, some steps, some arrangement would have to be made. When I come to think of this matter, I can tell you what made me write this letter.

Q. Well ?—A. I had been in New York and had met our agent.

Q. That was the time you were down with Cordasco ?—A. I think that was the time, and he informed me that the general agent of Anchor line had told him that he was to bring in 10,000 for the Grand Trunk Pacific.

Q. Who was the agent ?—A. I do not know. This agent stated that they were bringing in about 10,000 men for the Grand Trunk Pacific this spring ,and I think it must have been acting on this information that I wrote that letter.

Q. That was in September you were down ?—A. I think not, I think it was later than September, I think it was on December.

Q. Had Mr. Cordasco that information too ?—A. I think he had.

Q. You were both together at the time ?—A. Yes.

Q. So that he was also aware that they were then preparing for a large number of men ?—A. Yes.

Q. And it is in consequence of that you were taking steps to prepare for same ? —A. To ascertain what was required.

Q. It was your duty, you were compelled to do that in the interests of your company ?—A. Certainly.

Q. At that time you thought that 'steps may possibly have to be taken on the part of our company to import labour from abroad ?'—A. Yes, Your Honour. I may say that I took some steps in regard to the importation of labour with the management. It was my desire to send one of our men over——

Q. To Italy ?—A. No, to England, Scotland and Scandinavia for the purpose of getting immigrants.

Q. How many were you going to get out ?—A. We wanted him to only get prepared.

Q. He was not going to send men over ?—A. Only 100 or 200. We wanted him to be ready, if we required men to send them by next ship.

Q. How many did you think you would send for, give me some idea ?—A. It developed afterwards.

Q. Never mind afterwards, at the time you were considering these ideas.—A. Well, my idea was to provide for the future.

Q. How many did you think would be required, not only for this year, but other years ?—A. I have no idea.

Q. Well, 10,000, 20,000 ?—A. Speaking from other years I should say not less than 5,000.

Q. You would not go into such an undertaking for the company without consulting the management. You proposed that to the management this spring ?—A. Yes.

Q. When ?—A. I think it was in the month of February or beginning of March.

Q. Did you talk to Cordasco about helping in this matter ?—A. Cordasco was not in it, the Italian question did not come into it.

Q. But the Italians form a very large part of the number required on your road ? —A. It was my idea that we ought to get Danes, Swedes and Norwegians.

Q. What is your experience of workmen for that class of work, what class is best ? —A. I think the best people for the C.P.R., are the Scandinavians, not because they are better workmen than the Italians, but if they get through their season's work they usually take up a piece of land and settle, whereas Italians come out here for gain and do not assimilate with the country.

Q. How long have you been of that opinion, Mr. Burns?—A. I have studied this matter quite a bit, four or five years.

Q. How long since you first came to that conclusion ?—A. I think last year.

Q. Were you not of a different opinion even as long ago as last month, that you considered Italians the best for the railway ?—A. Italians are best in this way, they are the only class of labour we can employ in Canada who can live for a year on the wages they earn in six months.

Q. You are looking at it from your standpoint, not from the standpoint of the men at all. In the interest of the company which class of men do you consider the best ?—A. I should think the Scandinavians.

Q. Did you ever express an opinion that the Italians were the best ?—A. I may have, in some respects.

Q. In what respects ?—A. Well, for instance, at the present time, if we have Italians in the North-west there is no danger of their jumping their jobs and leaving us in the lurch.

Q. It is very important to have a large number of section men to depend upon ?—A. Very important.

Q. Therefore, with that end in view, the Italians are the best employees?—A. Yes.

Q. And therefore you have a large number employed ?—A. Yes.

Q. A greater number than of other classes ?—A. About equal.

Q. Equal with what other class ?—A. No one class, but all classes together.

Q. About half Italians. Therefore did it not strike you that it would be a good stroke of policy to provide for a large number of Italians for 1904, so far as your work is concerned ?—A. I do not remember making any calculations on the subject.

Q. You were quite willing to allow the Grand Trunk Pacific what would be left, but you wanted first choice ?—A. I think we made a basis of what we want in Montreal but beyond that I do not make any calculations at all.

Q. Did Mr. Cordasco make any calculations ?—A. I do not know.

Q. Did he never tell you ?—A. I think he told me in December or January, he had about 1,000 men on his books.

Q. Did he not tell you he was bringing a large number to Montreal and wanted you to take some ?—A. No.

Q. He never asked you to take men from him ?—A. Yes he frequently wrote especially during this spring.

Q. What did he say ?—A. He wanted to get rid of his men.

Q. And you were leading him into trouble ?—A. Yes.

Q. Saying you were aware that he was bringing in a lot of men ?—A. I did not know he was bringing in any.

Q. Did he not tell you he was having a lot of men coming from Italy ?—A. I think he did mention that he had a lot of men, he did not tell me they were coming from Italy.

Q. Not at all ?—A. Never sir, I think. Not one man.

Q. You are quite clear about that ?—A. I am. I have no recollection of his saying about bringing any men from Italy.

Q. He wrote you on March 18, 1904, that letter did he not Mr. Burns ?—A. Yes, Your Honour.

Q. He was in trouble about you not taking men?—A. Yes, Your Honour.

He wrote you that letter on May 10, 1904 ?—A. Yes, I remember that letter distinctly, but I have no idea he ever brought them over.

Q. The letter is as follows:

'MONTREAL, May 10, 1904.

'G. E. BURNS, Esq.,
'Special Agent, C.P.R.

Re INFORMATION.

'DEAR SIR,—Arrived by the way of Chiasso, over 300 Italians and nearly 200 by New York. Sure will be a disgracefull for these poor emigrants with the old ones which they put up here all winter, and Italian Consul with his society are to be blamed and they should be crushed to peace.

'Your servant,

'A. CORDASCO.'

A. I would imagine that the Italian Society brought them out.

Q. That is why he wrote? You do not think he was trying to blame them for bringing these people out. You remember his going for that society?—A. I know he and the society did not pull.

Q. In fact he has been doing all in his power to injure that society?—A. I believe he has.

Q. Writing in the papers against that society?—A. I have heard of writings.

Q. A special supplement against that society?—A. I don't know anything about that.

Q. Never heard about that?—A. No.

Q. Then at that time you knew he had 300 arrived and 200 more coming?—A. Cordasco used to cover all trains with his men, and I did not know they were his men.

Q. He was at that time asking you to employ them?—A. If you can interpret that letter so.

Q. Did you assist him getting employment for them?—A. I did not assist at all.

Q. You remember that telegram being sent to Foley Brothers & Larson on May 5, 1904?—A. Yes, he spoke to me about that.

Q. And you approved of its being done?—A. That is his own telegram.

Q. I know. You see it is charged to you, you paid for it?—A. Yes. It does not cost me any thing.

Q. Would cost him though.—A. Yes, I quite understand that.

Q. It says: 'Understand you are in need of large number men for construction from Sudbury for C.P.R. Can supply you with two thousand experienced railway Italian navvies at moment's notice. Reference Canadian Pacific Railway.

'A. CORDASCO.

'Charge a-c G. E. Burns.'

Q. So that you were aware at that time that he could supply two thousand men. He could supply more than that 500 men in Montreal at that time?—A. I believed so.

Q. None hired?—A. I don't know.

Q. Where did they come from?—A. I don't know.

Q. Did you make inquiry?—A. No, I knew there was a large number.

Q. It would take some time to procure a large number from Italy and the United States would it not?—A. I don't know.

Q. They had to make some preparation?—A. I suppose they would require certain tables of steamship sailings if they were brought out.

Q. Exactly, did you inquire about that?—A. No.

Q. Did you not inquire how many you could depend upon getting?—A. I did make some inquiry, but I did not know the number. I spoke to Mr. Cordasco.

Q. He objected to others sending men to any other railway?—A. He objected to any company getting ahead of the C.P.R.

Q. He writes:—

'MONTREAL, May 9, 1904.

'G. E. BURNS, Esq.,
'Special Agent, C.P.R.,

Re INFORMATION.

'DEAR SIR,—The Canadian Northern Railway Company has sent on order *re* Mr. Waller, agent at 1887 Notre Dame street, for 200 labourers, and this hiring was going on from this morning and 200 Italians were hired to go to Winnipeg, leaving Montreal to-morrow morning. Wages $1.50, fares $12 to be deducted from first wages from each of them, and talking going on that 600 more Italians will be hired by them this week and each of them was charged $2. Who is to blame, is only Cordasco that charges.

'Your servant,

'A. CORDASCO.

P.S.—Very sorry to see all the best and first-class Italian labourers taken away. A.C.'

Q. I suppose that was written by himself, he was sorry to see?—A. Your Honour, these letters came to my office. He was keeping me posted as to labour conditions. I think that was about the time of this agitation.

Q. No, May 6, 1904, the agitation was for want of bread?—A. What date.

Q. May 6, 1904.—A. When was the agitation for want of bread?

Q. About this time.—A. I wanted to get data as to the situation from Cordasco.

Q. When did you advise him about the situation of labour?—A. I think about the time this trouble occurred.

Q. Do you remember when?—A. Early in the spring.

Q. March?—A. Somewhere about the neighbourhood.

Q. He was in great trouble to see that other gentlemen were sending men away?—A. The great trouble was that he was getting no orders from me.

Q. P.S. Very sorry to see all the best and first-class Italian labourers taken away' ?—A. He wanted to supply these to me, I suppose.

Q. Had he charge of all Italians in Montreal ?—A. No.

Q. Why was he sorry to see these men despatched by anybody except Cordasco ?—A. I consider that to mean that his men were dropping him and getting employment elsewhere and the C.P.R. was losing their services.

Q. I suppose that was the reason. On May 3, 1904, he writes you again:

'Last night, May 2, 1904, fifty Italians hired by Mr. A. Manetti, Italian restaurant, 508 St. James street, were shipped to North Bay and each of them paid $3 for commission, at rate of $1.75 per day, to work on railroad for A. K. Macdonald.

'Your servant,

'A. CORDASCO.'

Q. Still advising you of what was going on ?—A. No, sir.

Q. That is the position Mr. Cordasco was taking towards these men. That is not answered. On May 18, 1904, Mr. Cordasco wrote:

MONTREAL, May 18, 1904.

'G. E. BURNS, Esq.,

'Special Agent, C.P.R.,

'DEAR SIR,—I am in trouble with some Italians and if any orders come you must take some of my labour, or otherwise I will be obliged to face big trouble with some of them.

'I agree with you to supply your superintendent in Ontario division, or to any other with first class men. About that man in Latour, I believe he never worked in your company at all, and if he is a new man, will have my interpreters all mad and kindly to see that if any men be called to take my men before anybody else.

'Oblige

'A. CORDASCO.'

Q. Other men were taking his men?—A. I should infer that.

Q. And he wanted to have them ?—A. I have them first.

Q. Mr. Cordasco wrote a very pathetic letter to Mr. J. Oborne on April 28, complaining that men were not taken from him. Amongst other things, he says:

'I have supplied your company nearly three years, commencing from the time the strike was on, all over your lines, and then no one tried to supply one man over your tracks only Antonio Cordasco. At that time, during the strike, no Alberto Dini, no Candori, no Italian consul, but A. Cordasco supplied good many thousands. I do know that all my bad enemy making over my name and are accusing me of doing all they can in their power to do harm over me, but I am glad that not one of them can proof me to be guilty.

'Even Italian lawyers are mad at me because I have cut off good many cases from their hands.'

A. That was written to me, it was not written to Mr. Oborne.

Q. It was addressed to G. E. Burns, Esq., and if necessary to be referred to J. Oborne, Esq. That was put in red ink after the original was sent to Oborne. This is Cordasco's handwriting ?—A. The other is not.

Q. The other is the original?—A. Well, I do not know anything about it.

Q. There was one sent to you at the same time ?—A. I have this in my possession. He would not correspond direct with any official, as far as I know.

Q. You do not know Cordasco. I see several letters to others ?—A. In years gone by.

Q. You think he would not correspond with anybody else but you ?—A. Not on the matter of Italian labour.

Q. Why do you think that?—A. Those were his instructions.

Q. You knew he was charging those labourers for obtaining work for them?—A. Yes, Your Honour.

Q. How much do you know was he charging?—A. I understand he was charging $1 for registration and $1 when they went out to work.

Q. That is all ?—A. Yes.

Q. How much did he charge foremen ?—A. I believe $10, Your Honour.

Q. You know that ?—A. Yes.

Q. How long did you know that?—A. I have known that for years.

Q. Do you not know that he was charging $2 going out to work, after $1 had been paid for registration ?—A. No.

Q. Never heard that ?—A. No, Your Honour.

Q. You do not seem to credit it ?—A. Well, I do not think he was charging $3. It was in my mind that he only charged $2.

Q. Do you know that he charges $4 now ?—A. No, I never heard of it.

Q. Never heard of it, did you ask him ?—A. Yes.

Q. When ?—A. When the matters came out on different investigations.

Q. What do you mean by investigations ?—A. There have been certain complaints made as to Italians being charged fees, and numbers of the men asked for a refund of these charges.

Q. You say that you only heard recently that he was charging the men $3 for going out ?—A. Only recently.

Q. How recently?—A. I think the first evidence I got as to the $3 was when you were in his office the other day.

Q. You found out then, that from July 1, 1904, up to say the 16th he had sent out 200 men and had charged them $3, in addition to the $1 registration fee ?—A. Yes. You informed me.

Q. The books showed that ?—A. I do not see the books.

Q. $10 at least for foreman as well ?—A. Yes.

Q. You knew that he had been charging something all along while you were paying him for this work ?—A. Yes, I paid him according to the agreement I had with him in 1902.

Q. And in April you made a new agreement to pay him $1 for each man, provided he did not charge anything to any Italian ?—A. Yes.

Q. Has he carried out that agreement to your knowledge ?—A. Well from the evidence that I have before me now I do not think he has.

Q. I suppose he would have informed you at any time if you had asked?—A. I presume he would.

Q. You can rely on Cordasco's word ?—A. I think so, Your Honour.

Q. Then why did you pay him ?—A. My agreement was that he was not to charge C.P.R. employees for sending them to C.P.R. work, and I paid him that $1.

Q. And now you find he has charged ?—A. I have no definite information, but have ever reason to believe from the evidence adduced and what you personally assured me—

Q. Is there any reason why he should be paid anything for these men ?—A. I have not paid him yet.

Q. Do you intend to ?—A. That is a matter for consideration. We have not paid him anything for some months.

Q. What months ?—A. April, May and June.

Q. Have you paid him anything for any service ?—A. No, sir.

Q. Because you heard at that time that he was charging the Italians ?—A. I think I heard some time in June.

Q. Why do you not pay the April account ? How do you account for this delay, it was passed in May ?—A. It has never been passed.

Q. Not by Mr. Skinner ?—A. I do not call that passing, when it passes my hands it is passed.

Q. But Mr. Cordasco has rendered the account in due course and your clerk has dated and initialled it ?—A. Yes, Your Honour.

Q. And the only reason you refuse to pay him is that he received money from Italians ?—A. Well that was one reason.

Q. Any other reason ?—A. The item was not satisfactory.

Q. Did you take means to verify it ?—A. I cannot say I did.

Q. Was the real reason that he was charging Italians and you did not want it made payable ?—A. Well that is one reason.

Q. Another reason ?—A. Well let me see the account for April, and I think, I can perhaps tell you. (The Commissioner hands him the account)—A. The delay in the first instance was, I think, because I got the account some time toward the end of May and the May account was delayed on account of some charges in it in connection with a law suit we had.

Q. He was charging for some items for a law suit against the company ?—A. Yes.

Q. Was he not entitled to them ?—A. I was in doubt.

Q. You struck them out and had the account made out again ?—A. Yes.

Q. That was passed by you ?—A. Yes.

Q. Was that the only account in which he charged $1 for each man ?—A. That was the first account.

Q. You paid that account?—A. No, sir.

Q. Did not pay it ?—A. No, sir.

Q. You have not paid that account ?—A. No, Your Honour.

Q. To whom are you going to pay it if not to Cordasco ?—A. I do not know that I shall pay it to any other if he does not get it.

Q. But these Italians had to pay ; after he agreed to do the work for nothing he charged them $3 per man, will you give them relief ?—A. I will investigate the matter and whatever I decide to do I will carry out. I will do right as far as I know.

Q. Now, have you given the Italians from the States transportation to Montreal ?—A. Last year.

Q. This year or last year ?—A. Not this year. None at all.

Q. Last year you did ?—A. Yes.

Q. To all ?—A. Not all.

Q. Why?—A. In the early part of the season they used to come in here themselves and pay the fare, but labour got scarcer and I had to advance the fare and take it out of the wages, and then when labour got still scarcer we used to advance the fare out of our own pockets. They were a different class of men who came then than in the beginning of the year.

Q. Then you think that Cordasco has broken faith with you?—A. Well, as I said before, I want to investigate this matter thoroughly and come to a conclusion, and whatever conclusion I arrive at I will act accordingly.

Q. Is it not the same matter that Mr. Guertin was discharged for from the company's service?—A. Mr. Guertin was a regular employee for the company, on regular salary, on the permanent staff.

Q. Does it make any difference whether a regular salary, or a regular sum for which a man works?—A. It does so far as the C.P.R. is concerned. We have a permanent staff of permanent employees, and the company has all sorts of men engaged, but whether they are treated as agents I do not know. I have never regarded Cordasco as an employee of the company.

Q. At any rate here is a man, calling himself an agent for your company, who makes a solemn agreement not to charge Italians any thing at all. He breaks that contract and charges them double and treble?—A. I have no evidence of that.

Q. You will only have to wait to get plenty evidence about Mr. Cordasco?—

Well, I suppose then Mr. Cordasco will have to follow Mr. Guertin. If he disobeys orders he will have to take his medicine like any body else.

Q. Now you wrote to Mr. Timmerman on May 17, 1904. He is your general superintendent at Toronto?—A. Yes.

Q. In which you say:—

'Under the present conditions, starting from this year, all Italians may be engaged through Cordasco's office for the Canadian Pacific Railway without the payment of a single cent, but in the past, as indicated in Cordasco's letter of April 29, he has not been out for his health, and I have no doubt has exacted his fee as is usual in such cases, not only in Montreal, but all over the country, as probably you are aware.'

Q. Is that correct?—A. Yes, I believe that is correct.

Q. 'Starting from this year'?—A. Yes.

Q. 'All Italians may be engaged through Cordasco without the payment of a single cent,' that was your agreement?—A. Yes, that was the agreement.

Q. Then are you aware that he was employing men in the United States this spring for the company?—A. No.

Q. That the Stabili Company were?—A. He had no connection with that whatever.

Q. Did he not say that he was having a number of men coming from the States?—A. Yes, he told me a number of men were coming, but he did not tell me they would all come in early.

Q. Last September you asked him to send for men to the States for you?—A. I believe so, we were very short of men.

Q. These are the men given transportation at the time?—A. Yes.

Q. He had agents there picking these men out?—A. Yes.

Q. Do you know whether he had any agents in Italy?—A. No.

Q. Do you remember a man named Marcucci being sent to Italy, you did not know that man?—A. No.

Q. You never heard his name?—A. No.

Q. Do you know of Mr. Magna who went to the States for you?—A. Yes.

Q. Does he belong to Montreal?—A. There are two Magna's in Montreal, I do now know which it is.

Q. D. Magna?—A. One is called M. and the other Dominico Magna.

Q. Then there was one Leto?—A. Yes, sir.

Q. Also an agent?—A. Yes, sir.

Q. An agent sent by Cordasco to the States?—A. These men have connections down there and they pick out forces of men, they are allowed expenses, railway fare and $2 or $3 per day.

Q. You have always stated that Mr. Cordasco was labour agent for the C.P.R.?—A. I have said that he was sole agent to hire Italians.

Q. Advertisements have been issued in every direction?—A. I have seen his advertisements.

Q. That he is the only authorized agent to handle men for the C.P.R.?—A. Yes.

Q. Then with reference to Mr. Cordasco's accounts, do you audit them yourself?—A. Yes.

Q. Always?—A. Yes, I do not go into all details but scan them over, and if correct initial.

Q. Who goes into the details?—A. Mr. Skinner and Mr. Lancey.

Q. You heard Mr. Skinner's evidence yesterday with reference to the payment of these supplies and the charges?—A. Yes.

Q. Did you ever consider his accounts with reference to provisions to Italians and Chinese?—A. Yes.

Q. Did you ever go into them?—A. In regard to that question I would just like to correct an impression that Your Honour seems to have in reference to that fact.

To go into the thing thoroughly we will have to start in 1901, when we shipped large numbers of men during the strike, I used to buy provisions myself from a retail firm of grocers, and I found that when shipping two or three gangs every day to different parts of the line, it necessitated the employment of a couple of my men, and even more handling the supplies. When the strike was over things got quieted down a bit, and in the following year I made a proposition to Cordasco and asked him to undertake to feed all Italians who went, selling them the necessary food, &c.

Q. Was not that included in his day's work?—A. He did not have any particular kind of duties, looked to see that they had bread and such things as bologna sausages, &c. He agreed to do that provided I saw that his bills were collected. Now, Your Honour yesterday seemed to think, from Mr. Skinner's evidence, that the Canadian Pacific Railway bought these supplies, when as a matter of fact all the Canadian Pacific Railway has to do is to see that the bills are correct and to see that the amounts are collected at the other end of the line, and that Mr. Cordasco is reimbursed. Now, I might say that I considered I was bound to see that these men were not imposed upon. Some time ago I made a personal inspection of the food which went on board and I discovered a large gang going out, about two or three years ago, I discovered a large consignment of bread, probably 400 or 500 loaves, baked by several bakeries, which were mouldy, and I rejected the whole lot and wired Ottawa to supply fresh bread there.

Q. Who supplied these?—A. I do not know.

Q. Last year?—A. Two years ago. After that I gave instructions that all supplies should be inspected, and I know that from that date every shipment is as represented and that all these provisions are of good material and there is no fault to find with them. Now, in regard to the prices, in checking these accounts, roughly speaking, I placed the price on the cost of bread to arrive at a definite figure on three meals a day. In addition to that, if you will observe the accounts, Your Honour, you will find these prices specifically mentioned, and if you compare these prices with any retail prices at any grocery and any bakery, you will find there is not very much discrepancy. For instance take bread, the 6 pound loaf he charged 17 cents for, he had charged 14 cents, but there has been a rise in prices and they are now 17 cents. If you go down town they will charge you 8 cents for a small loaf, so he made 1 cent on that. As regards sardines; I went into the matter once, I think last year. I picked out a tin from a case in a car and put it in my pocket. I went to my office and sent one of my men down town to Hudon, Hebert & Co., wholesale grocers, to enquire as to the prices of these sardines, and I got an answer back and found that Cordasco was charging too much (12 cents) and knew from my own household expenses that the best sardines only cost 13 cents each, or two for a quarter. I spoke to Cordasco, he admitted having charged too much, and he put the price at 10 cents, which gave still a good margin. I do not know what he charged, I did not care. He was looking after the matter, and if he was not giving away the goods for nothing it would simply mean that he had a good business contract and the cost of the goods supplied by him to the Canadian Pacific Railway I had nothing to do with, except to go over his accounts and to see that the retail prices at the grocery stores were not overstepped. I did not think there would be much overcharge, as in handling the stuff Cordasco required two or three men. Because we had three or four shipments a day.

Q. Now, that is your explanation?—A. Yes.

Q. You paid Cordasco $5 per day during the time he is employed in any work for the Canadian Pacific Railway?—A. Yes.

Q. The work consisted of getting provisions for these men when necessary?—A. That is separate.

Q. The work consists of doing this?—A. He supplies the men.

Q. And you pay him $5 for that work?—A. He is paid $5 for drumming up and shipping these Italians.

Q. He charges $5 for supplying provisions?—A. I have noticed in the accounts.

Q. I suppose they are correct. Mr. Cordasco would not make a wrong account. If you will look over the accounts, there are a great many details of the sort. Supposing, now, that instead of Cordasco getting the provisions you get them, would you charge a profit?—A. None whatever.

Q. He is in your position now; he gets paid for that work?—A. I do not understand it that way.

Q. His accounts show that way?—A. I do not like to argue.

Q. Look at the accounts; there is no argument. Look at the accounts, that is what governs you and him?—A. We certainly refused.

Q. You pay him $5 for supplying these provisions and he makes a profit for doing this?—A. Yes.

Q. That is, he not only gets $5, but charges a profit on everything he buys?—A. Not to the Canadian Pacific Railway.

Q. It is far worse if it is not the Canadian Pacific Railway; it is against these unfortunate Italians who do not know anything about prices?—A. I do not know if the prices are not excessive.

Q. There should not be one cent profit if Cordasco was paid for the service?—A. That is one way of looking at it.

Q. That is the honest way; why should a man pay 15c. for a box of sardines costing 3c.?—A. I always regarded that as his prerogative.

Q. You are quite willing that these Italians should pay double prices for these things?—A. He had a right to some profit.

Q. Why, when you paid him for his services?—A. I paid him $5 for drumming up men and shipping them, and lots of other work.

Q. And also for providing food?—A. I never made that stipulation.

Q. Look at this account; you paid him for that work?—A. And handling the men.

Q. We are not joking here; there is no use talking for nothing?—A. I wish no disrespect to Your Honour; I give my evidence as——

Q. That is as Cordasco looks at the matter?—A. I am just giving facts.

Q. There is an account for $152. How much did he actually pay; the statement is added there?—A. $94.72.

Q. Now, then, supposing we pass from that to the Chinese; the Canadian Pacific Railway pay for the provisions for the Chinese out of their own pocket, is not that so?—A. Yes.

Q. The provisions are charged against the Chinese on the same principle?—A. Yes.

Q. You pay him $5 per day for providing these provisions; look up the amount if you are not sure?—A. That is——

Q. Passed that way?—A. Yes.

Q. How many hundred dollars during the year has Mr. Cordasco made in this manner?—A. I would like to look over the accounts for information.

Q. You paid him $5 a day and he makes a profit on everything ,as much as 150 per cent on little sardine boxes.

Q. In March he charges for provisions to Chinese, on the 5th, services rendered?—A. He had two or three claims to inquire into that day, that made $2 or $3.

Q. I suppose that did not take him more than 24 hours?—A. No.

Q. You had his exclusive services for a full day for $5?—A. Yes.

Q. If he was less than a day he was only paid in proportion?—A. Yes.

Q. Therefore, according to your understanding, you should have made him supply that food to the Chinese at exactly what it cost?—A. Undoubtedly.

Q. You should have done it yourself; he only bought your supplies?—A. He is an outsider.

Q. He gets $5 a day for devoting his time to that?—A. I never looked upon it in that way, Your Honour.

Q. Why did you not? Does anybody share with Cordasco in this profit?—A. No, sir, not to my knowledge.

Q. Quite sure of that?—A. Yes.

Q. Now do you share with him?—A. Not one cent directly or indirectly.

Q. Has he made any presents to you within the last year?—A. Not of any value.

Q. What were they?—A. I mean to say that at Christmas time and I think at Easter, I got a few little things, little Italian delicacies; they did not amount to anything.

Q. Nothing else?—A. No.

Q. No money ever passed between you?—A. No.

Q. Quite sure?—A. No, nor any of my employees.

Q. I did not suppose any employees would, Mr. Skinner, nor any other, but your name has been suggested?—A. I have heard it, Your Honour; I have my friends, but also many enemies.

Q. What did they say?—A. That my intercourse with Cordasco would probably lead to something being said about me. I have a good many enemies in this town and friends, too.

Q. Yes?—A. I have always replied to these critics that it made no difference to me as long as I did what was right by the company.

Q. How long ago was this?—A. Within a year.

Q. Have these insinuations been continued since?—A. I believe so.

Q. They were against you and him?—I took them for me.

Q. And you swear on your oath that you have never received any share of any profit or any sum of money in connection with any Italian labour?—A. I do, Your Honour, if Cordasco has given me anything it is very trifling indeed, and I think I have reciprocated in kind.

Q. These friends referred to your intercourse with him at home?—A. My business relations.

Q. Only business relations?—A. Only.

Q. You go around together?—A. Last year I saw him every day when we had shipments, but this year it was different.

Q. These statements did not affect Mr. Skinner?—A. No, they only date since the first of the year.

Q. I may say that no one suggested the name of Mr. Skinner to me. I am perfectly satisfied that Mr. Skinner is above such charges as made against you, Mr. Burns?—A. I hope Your Honour does not believe it.

Q. I have heard no evidence to support it, whatever the circumstances are that is a different thing.

Adjourned until 2 p.m.

Meeting at 2 p.m., June 22, 1904 ,at Court House, Montreal.

Mr. Burns re-examined.

By the Commissioner :

Q. Has Mr. Cordasco collected the wages of the men at various times from the Canadian Pacific Railway?—A. I believe he has on a few occasions, not to any great extent as far as I know.

Q. On orders from the men?—A. Always payment would be made by cheque.

Q. Do you know as a matter of knowledge that these were under orders from the men?—A. That is the rule.

Q. Do you know how he came to receive orders?—A. I do not know, I only knew of a few cases.

Q. You do not know personally to what extent he collected ?—A. No.

Q. Not in your office ?—A. Through the paymaster's office.

Q. That is your knowledge ?—Yes.

Q. You stated that you were aware that Mr. Cordasco was charging $3 only last week ?—A. I think it was last week.

Q. You never heard of it before ? A. I had heard that it had been done and I asked him if it was so.

Q. Who told you he had been doing it, do you know ?—A. Well, I will not be positive. I think I had some identifications where the question came up, and I think it was denied at the time. There was really no evidence to show that money had been paid and I took it for granted that only $2 were paid.

Q. Have you the accounts for 1903 with Cordasco ?—A. I have.

Q. Will you produce them ?—A. Yes.

Q. Will you kindly go over these accounts and find out what he has charged for provisions to Chinese and Italians and for his services ?—A. I will, Your Honour.

Filippo D'Allesandro being sworn—(by interpreter).

By Mr. Mowat :

Q. Were you one of Taliano's gang?—A. No, sir, Pompeo Bianco's gang.

Q. Did you apply to Cordasco for employment, and how much did you pay ?—A. Yes, I paid him $1, he told me I would have to pay him $2 more to get work.

Q. When was this ?—A. At the beginning of December last; he told me I would get some work in the beginning of March.

Q. Did you get work in March?—A. No, I only worked one day, last Thursday.

Q. You have not got regular employment ?—A. No.

Q. How long have you been in this country ?—A. 15 or 16 months, a year last April.

Q. Did you ever pay him more than $1 ?—A. Last year I paid $3.

Q. And got a job ?—A. Yes.

Nicola Fandino being sworn (through interpreter).

By Mr. Mowat :

Q. Were you in Pompeo Bianco's gang?—A. Yes.

Q. How long have you been in Canada ?—A. Three years.

Q. Did you apply to Cordasco for work?—A. Yes, I went last year.

Q. This year and last year?—A. Yes.

Q. How much did you pay this year?—A. $1.

Q. Is that all?—A. $1 in December last.

Q. Was that all you paid?—A. Yes.

Q. Were you promised work?—A. Yes.

Q. When?—A. March 1.

Q. Did you get work?—A. There was no work.

Nicola Spidigliacci being sworn (through interpreter).

By Mr. Mowat:

Q. Were you in Bianco's gang?—A. No; in Salvatore Mollo's.

Q. Did you apply to Cordasco for work?—A. Yes, sir.

Q. When?—A. I went in February last. He told me I would go to work in March.

Q. Was any money demanded from you?—A. Yes.

Q. How much?—A. I paid $1 in February last. He took my name down in February, and he told me in three weeks to bring him $2 more and he would send me to work.

Q. You did pay that, when?—A. Three weeks ago.

Q. In July?—A. Yes; beginning of July.

Q. Have you obtained work?—A. No, sir.

Q. How long have you been in this country?—A. Since last February.

Q. Just came in February?—A. Yes, from States.

Q. How long in the States?—A. About one year and a half.

By the Commissioner:

Q. What part of the States?—A. Boston and Vermont.

Q. Did you belong to any gang in Vermont or Boston?—A. Yes.

Q. Who was foreman?—A. Gianni.

Q. Did he write to Cordasco for work for you?—A. No.

MICHELE ORCIANO being sworn. (Through interpreter.)

By Mr. Mowat:

Q. To whose gang did you belong?—A. Salvatore Mollo's.

Q. When did you come to this country?—A. Two years ago.

Q. Did you apply to Cordasco for work?—A. Yes, last year.

Q. When?—A. I came to Montreal in November last.

Q. You went to see Cordasco at that time?—A. Yes.

Q. Was any money demanded?—A. Yes. I paid $1.

Q. Ever pay any more?—A. Yes. I paid $2 three weeks ago.

Q. You were promised work when you paid that?—A. Yes, he said come to-morrow, after to-morrow.

Q. Did you go back repeatedly for work?—A. All the time I was told to go away, that there was no work.

Q. After paying the $2?—A. Yes, he got $2 from every one in our gang.

By the Commissioner:

Q. I suppose they paid $1 each before this?—A. Yes.

RAFFAELE CACARABELLI, being sworn. (Through interpreter).

By Mr. Mowat:

Q. Were you in Mollo's gang?—A. Yes.

Q. You applied to Cordasco for work?—A. Yes.

Q. When did you go to him?—A. In January. I paid him $1.

Q. Did you pay him any more?—A. Yes. $2 on the 3rd of this month.

Q. Did he promise you work?—A. When I went he would say come to-morrow morning, and in the morning he would say come to-night at five o'clock.

Q. He mentioned the hour when you were to get work?—A. Yes.

Q. After you paid the $2?—A. Yes.

Q. Did you get any work?—A. No.

Q. When did you come to this country?—A. Sixteen months ago.

Q. From Italy?—A. From London.

MARTINO CRESCENZO being sworn. (Through interpreter.)

By Mr. Mowat:

Q. Were you in Mollo's gang?—A. Yes.

Q. Did you apply to Cordasco for work?—A. Yes.

Q. When?—A. In January last.

Q. Was any money demanded from you?—A. Yes, I paid him $1.

Q. When did you go to Cordasco again after that?—A. Once in March and April.

Q. Was more money demanded after that?—A. Yes, we paid about $15 or $16. It was on a Sunday, and he said you will go to work to-morrow morning.

Q. Did you go the next morning?—A. Yes, sir.

Q. What was the answer?—A. Wait two days more.

Q. Did you go back again?—A. Yes.

Q. What happened?—A. He said there will be some work to-morrow morning sure.

Q. Did you go back frequently?—A. All the time.

Q. Never got the job promised?—A. No.

Q. When did you arrive from Italy?—A. One year ago.

CONSTANZO LOMBARDI being sworn. (Through interpreter.)

By Mr. Mowat:

Q. Were you in Mollo's gang?—A. Yes, Salvatore Mollo.

Q. Did you apply to Cordasco for work?—A. Yes.

Q. When?—A. I paid him $1 in January.

Q. Have you paid him a further sum?—A. Yes, I paid $2 more.

Q. When?—A. On the 3rd July.

Q. Did Cordasco, in consideration of that sum, promise you a job?—A. Yes.

Q. What was the result?—A. He put me off from day to day, saying to-morrow morning you will go to work. I went to North Bay in order to obtain work, and was obliged to come back. I paid $16.80 to go to North Bay and back.

TO THE COMMISSIONER.—I was promised work there, but did not get any, and was obliged to come back, because it was costing us 60 cents a day for board.

GIOVANNI MORILLO being sworn. (Through interpreter).

By Mr. Mowat:

Q. When did you go to Cordasco for work?—A. I worked last year, and when I came back I went there with Salvatore Mollo and we paid $1 each.

Q. Did you also pay $2 further?—A. I paid altogether $3 for myself, $3 for one of my sons, and $3 for another boy coming from Italy; $9 for the gang.

Q. When did you pay this $9, what date exactly?—A. I paid in February and in March I gave him $2 more.

Q. And you started work?—A. No, we went back repeatedly looking for a job every day.

Q. What answer?—A. If you do not go out of the office, I will kick you out.

By the Commissioner:

Q. When did you come from Italy?—A. Nearly three years ago.

Q. You say you paid $3 for a boy coming from Italy, when did he come?—A. He arrived in March.

Q. Where from?—A. From Naples.

Q. What is his name?—A. Constantino.

Q. You paid for another boy that came from Italy?—A. Yes, my son.

Q. You paid his passage?—A. Yes.

Q. How much did you send him?—A. I do not know how much, I did not take notice, $36 or $37, I think.

Q. Through what agency did you send the money?—A. I do not know.

IMPERATO LAZZARO, being sworn. (Through interpreter).

By Mr. Mowat :

Q. You belong to Mollo's gang ?—A. Yes.

Q. How old are you, and from what part of Italy did you come?—A. 18 years of age; from the Marches, Italy.

Q. When?—A. Six months ago.

Q. What month?—A. In January.

Q. By Quebec or Boston?—A. Came straight from Italy to Montreal.

Q. By what boat?—A. I do not remember.

Q. How did you come here, who sent you out?—A. A friend of mine.

Q. How did you come to go to Cordasco's?—A. I met Mollo and went to Cordasco's.

Q. Did you pay any money in advance to Cordasco?—A. I paid Pellegrini $1 and Mollo $1.

Q. How much of this money went to Cordasco?—A. $1 to Pellegrini to give to Cordasco, and $1 to Mollo and $1 to Cordasco.

Q. $3 altogether?—A. Yes.

Q. When?—A. April last $1, other $2 20 days ago.

Q. In July?—A. Yes.

Q. Were you given work?—A. No, nothing but promises.

Q. Did you ask the money back?—A. Yes, I asked him, but he refused to give back the money.

FUERELLO CARMINA, being sworn. (Through interpreter).

By Mr. Mowat :

Q. Have you paid any money to Cordasco for work?—A. Yes, I paid $1 in middle January to him, and paid him $2 about 15 days ago.

Q. What did he tell you?—A. He told me : you will go to work this week.

Q. Did you get any work?—A. No.

By the Commissioner :

Q. How long have you been in Canada?—A. 15 months.

By Mr. Mowat :

Q. Did you ask your money back?—A. I went there, but he refused to give it back.

PIETRO BAZZANI, being sworn. (Through interpreter).

By Mr. Mowat :

Q. You are a foreman?—A. Yes, sir.

Q. How long have you been in Canada?—A. Six years, I have been in Nova Scotia.

Q. Did you come from Nova Scotia here?—A. Yes.

Q. Did you go to Cordasco and offer your services?—A. I went to Cordasco and brought 19 men from Nova Scotia.

Q. Did he demand money?—A. I gave him money myself.

Q. For yourself?—A. $10 for myself and $1 for each of the men, $19.

Q. When was that?—A. I sent the money from Nova Scotia on February 3.

Q. Did you ever get work?—A. Never.

Q. Never sent out?—A. Never sent out, he promised to give me a chance.

Q. Do you keep your men around here?—A. My men are in Nova Scotia. They paid $1 each and were registered.

Q. You could have got them here at any time you wanted, could you not, if he had offered you work?—A He never gave me a chance.

Q. Did he ask you for any more money?—A. He said: 'I want some more money.'

Q. Did you give him any more?—A. No; I gave him $1 each for the men.

Q. You did not give him $5?—A. $5 in Nova Scotia.

Q. $10 in two payments?—A. Yes, I spent money here for board and got no work and lost all summer waiting for him. I called on him several times.

Q. What did he say?—A. Well, the first chance I have I will call you.

Q. When was this?—A. A month and a half ago.

Q. You never heard anything from him?—A. Nothing at all.

Q. Where did you work in Nova Scotia?—A. For the Dominion Iron and Steel Company.

VINCENZO MANCINI, being sworn.

By Mr. Mowat:

Q. You are a foreman?—A. Yes.

Q. For Cordasco?—A. Yes.

Q. How much did you pay him?—A. $10 for myself.

Q. When was that?—A. I paid about $20 to $21 for the men and $10 for myself.

Q. When was that?—A. The end of February or beginning of March.

Q. He promised you work?—A. Yes, he told me he would send me to work for the Canadian Pacific Railway.

Q. Did you go back to Cordasco?—A. Yes.

Q. The same answer?—A. He refused to give me the money.

Q. He did not send you to work?—A. No.

By the Commissoiner:

Q. How long have you been here?—A. About seven years.

Q. Lived here during the winter?—A. Yes, I lived in Montreal.

ACHILLO CAMPOBIANCO, being sworn. (By interpreter.)

By Mr. Mowat:

Q. What gang do you belong to?—A. To Mancini's gang.

Q. Did you pay Cordasco any money?—A. I paid $1. I gave $1 to my foreman, Mancini, and he gave it to Cordasco.

Q. Did you get any work?—A. No.

ADOLPHE MIELE, being sworn.

By Mr. Mowat:

Q. Are you a foreman?—A. Yes.

Q. How long have you been in Canada?—A. Six years.

Q. When did you apply to Cordasco for work?—A. On the 28th January.

Q. Did he get any money from you?—A. Yes.

Q. How much?—A. $10.

Q. For your gang as well?—A. Yes.

Q. How many?—A. 68.

Q. Did you pay $68?—A. Yes, $68.

Q. When were you to get work?—A. He promised me every day, never told me when.

Q. Did you ever pay any more money?—A. No.

Q. Did the men pay any more?—A. No.

Q. Have you ever been able to get any work from him?—A. No.

Q. Can you get hold of your men when wanted?—A. Yes, sir.

ANTONIO GIACCI, being sworn.

By the Commissoiner:

Q. You are a foreman?—A. Yes.

Q. Where you employed last year?—A. Yes.

Q. By Cordasco?—A. Yes.

Q. What time last year?—A. I mean last spring, two years ago.

Q. Did you apply for work this spring? When did you apply for work?—A. In January.

Q. To Cordasco?—A. Yes.

Q. Did you pay him anything?—A. Yes.

Q. How much?—A. $10.

Q. Had you any men with you?—A. I had a gang of men with me; I settled for them with Cordasco.

Q. What had you to pay him?—A. Altogether $98 for 98 men.

Q. When was that?—A. From 4th January up.

Q. To what time?—A. About the last of March or April.

Q. How many men had you, 98?—A. Yes, I had two gangs, one for me and one for my brother.

Q. How much did your brother pay?—A. The same as I did.

Q. How much?—A. $10.

Q. There are two foremen for 98 men?—A. Yes.

Q. Did you get work?—A. Not yet.

Q. Have you applied for work?—A. Sure.

Q. Have you asked for the money back?—A. Yes.

Q. Did you get it?—A. No.

Q. Why?—A. He promised to send me out April 1st or after that date.

Q. That date has not come yet?—A. Not yet.

Q. Did your poor men get their money back?—A. Yes, all of them.

Q. Who paid them back?—A. I paid, gave money back to men, not $98.

Q. How much?—A. I had paid $182 for 91 men, or $2 per man, and I got that back from Cordasco and gave it to the men.

Q. You paid $2 each to the men?—A. Yes.

Q. You paid more than that?—A. Yes, $3, but $1 went for registration.

Q. You had at first paid $98 to Cordasco for 98 men; you did not get that back?—A. No, sir.

Q. None of these men got that back?—A. No.

Q. Where are these men now?—A. They are all out in the country at work.

Q. Who sent them out?—A. No one; they went by themselves.

Q. Cordasco did not send them out?—A. No. The men are working, but no thanks to Cordasco.

Q. You did not get your $10 back?—A. But he has promised to give it back.

ANTONIO MANZELLI, being sworn. (Through interpreter.)

By Mr. Mowat :

Q. Whose gang do you belong to?—A. Raffaele Taliano.

Q. Did you pay Cordasco any money?—A. Yes, $1.

Q. Did you get any work?—A. No, I went to the office and asked for a job and he put me out.

Q. How long have you been in the country?—A. Over two years.

Giovanni Bianco, being sworn. (Through interpreter.)

By Mr. Mowat :

Q. You belong to Raffaele Taliano's gang?—A. Yes.

Q. Did you pay any money?—A. Yes, $3.

Q. When?—A. $1 in the beginning of January and $2 15 days ago.

Q. Have you got any work?—A. Have been promised work, but have none yet.

Q. Did you ask for your money back?—A. Yes, I asked but Cordasco refused to give it back.

Giuseppe Bianco, being sworn. (Through interpreter.)

By Mr. Mowat :

Q. Whose gang?—A. Raffaele Taliano's gang.

Q. Did you pay anything to Cordasco?—A. I paid Cordasco $1 in December last and $2 15 days ago.

Q. Did you ask for your money back?—A. Yes, and he refused.

Q. Did Cordasco get you any job?—A. No.

Francesco Cottoio being sworn. (Through interpreter.)

By Mr. Mowat:

I belong to Taliano's gang. I paid Cordasco $1 in January and $2., 15 days ago. Did not get any work. Have been in the country since last year.

Nicola Danillo, being sworn. (Through interpreter).

By Mr. Mowat:

I belong to Taliano's gang. I paid Cordasco $1 in December and $2., 15 days ago. Asked for a job but got none. I asked for my money back, and he refused to give it.

Stephano Leto, being sworn.

By the Commissioner :

Q. How many men did you bring over from New York?—A. Fifty men; they came by themselves.

Q. Fifty men only?—A. Yes

Q. What do you mean by saying that you brought 50 men over when you brought over 100?—A. 100 divided under two foremen.

Q. When did you bring them over?—A. A month and a half or two months ago.

Q. Where from?—A. From New York.

Q. How much did they pay?—A. We paid $1 each.

Q. To whom?—A. To Cordasco.

Q. When?—A. In March.

Q. Have you got employment?—A. Not yet.

Q. Did you pay any more money?—A. No.

Q. You got $1 from each of the men in New York?—A. No, sir.

Q. I say you got $1 from each of the men in New York?—A. Yes, I took $1 to send the money here.

Q. Were they promised work on the Canadian Pacific Railway?—A. Yes, on the Canadian Pacific Railway.

Q. On payment of $2 for each?—A. We did not pay it.

Q. Was not that the understanding?—A. Yes.

Q. Did they ever receive any work?—A. No.

Q. Did you take Cordasco's cards with you to New York?—A. No.

Q. Did you see some of the men with Cordasco's cards?—A. No.

Q. How long have you been in New York?—A. Ten years.

Q. Have you ever acted for Cordasco in New York?—A. Never.

Nicola Gioia, being sorn. (Through interpreter.)

I belong to Pellegrini's gang. I paid $1 to Cordasco in December last for a job. I got no work. I am 17 years of age. I have been in Montreal for the last 15 months. I am from Naples. I arrived here on June 15 last year.

Pietro Palmiero, being sworn. (By interpreter.)

I belong to Bazzanni's gang. I paid Cordasco $2 in November last. Last year I was in the country working for the Canadian Pacific Railway, and I came here because I was told they had a job here for me.

Q. Did you get any work?—A. No. Did not get my money back. I paid $3 more on the 9th of this month. He said he would give me a job. Here is the receipt for the money.

Mr. Internoscia.—If your Lordship will permit, I will ask Mr. Burns to come into the box one minute.

The Commissioner.—Very well, Mr. Burns.

Mr. Burns re-examined.

By Mr. Internoscia:

Q. Mr. Burns, you stated in answer to His Lordship that you had no knowledge that Mr. Cordasco was charging $3 for the men. Do you remember if Mr. Candori here ever spoke to you of this?—A. I remember one particular case, yes.

Q. That is the one I refer to?—A. I do not know if I misunderstood, I only heard it, Your Lordship, later. I have heard it before and went down. Mr Candori came to my office with an Italian, who told me he paid this $3. We went down to Cordasco's office, and held an investigation ,and my recollection is that as such an amount did not appear in the books both Ganna and Cordasco denied having received it.

Q. When was that, what month?—A. I cannot remember, probably two months ago.

Q. Do you remember that Mr. Candori spoke to you several times about this subject?—A. I remember his telling me about $2 being charged, but not more; the $3 I do not remember.

Q. Do you remember if Mr. McNicoll, of the Canadian Pacific Railway, showed you a letter written by our society on March 26, 1903, wherein appears this paragraph:

'We suppose it never came to your knowledge that certain people possibly authorized to deal with your company engage Italian labourers to work on your roads, only on payment of a commission of $3 each, and refuse to engage those who cannot afford to pay such a commission. Every day at the Italian Consulate General and at our office complaints of that kind are made. We wish to stop such an abuse of charging $3 or more to poor men, whose children are perhaps starving.'

Q. You remember if Mr. McNicoll showed you that letter,—it is dated March 26, 1903,—or will you please correct your statement to that extent?—A. I think I made some inquiry at the time, and reported that only $2 was charged; that was my impression.

By the Commissioner:

Q. It was understood that the amount of provisions supplied by Mr. Cordasco should be deducted from the first month's wages of the men?—A. Yes, sir.

Q. That sum would be paid to Mr. Cordasco in his monthly account?—A. Yes, sir.

Q. Have you gone over the statement for the last year to see what is the total amount charged for provisions last year, 1903?—A. I have taken all of 1903 and 1904 to date.

Q. Now, from the beginning of 1903 to June, 1904, how much does it amount to?—A. $6,453.41.

Q. Would that be paid by Italians only, or by Italians and Chinese?—A. This would be by Italians and Chinese. The latter do not amount to a great deal.

Q. Have you gone over the profits that were charged on these provisions by Cordasco?—A. As far as I could.

Q. And what can you give as profit?—A. I can only work out the last three items.

Q. You have not worked out the whole?—A. There is no data.

Q. You take the prices there?—A. I compute the profit of the last three items.

Q. That would apply pro rata to the whole amount?—A. I suppose so.

Q. What would be the percentage?—A. About 63 per cent.

Q. What would that amount to on the whole?—A. About $3,600 or more.

Q. Nearly $4,000?—A. $3,800; I will go over it again.

Antonio Cordasco being sworn.

By the Commissioner:

Q. What business are you engaged in?—A. I am a labour agent, ship Italian money, and sell some steamship tickets.

Q. Have you a bank?—A. Just for the use of Italians, shipping money to Italy. I do not receive money on deposit.

Q. How many years have you acted as labour agent?—A. About six or seven years, I guess.

Q. For Italian immigrants altogether?—A. For everybody.

Q. Have you employed any other classes of immigrants besides Italians?—A. Yes. Some years ago I engaged French, English, Scotch and Irish; any kind.

Q. For the last two years?—A. All Italians.

Q. During the last four years?—A. It is a little over three.

Q. For three years have dealt exclusively with Italians?—A. Yes.

Q. You claim to be sole agent for the Canadian Pacific Railway for the employment of Italians?—A. I put that in the papers, and did not find anybody to interfere.

Q. You claim to be sole agent?—A. You see I was employing.

Q. Are you sole agent for the Canadian Pacific Railway?—A. As far as I see nobody else is.

Q. Were you employed as sole agent?—A. I do not know if——

Q. You must answer my question, are you sole agent for the Canadian Pacific Railway?—A. Yes, I am.

Q. Why did you not answer at first? How long have you been sole agent for the Canadian Pacific Railway?—A. About three years.

Q. What was your engagement?—A. To hire Italian labour.

Q. What remuneration were you to receive?—A. At the beginning, before the strike, I received nothing at all. I supplied two or three gangs.

Q. For nothing?—A. Not a cent.

Q. Who paid you?—A. I charged the men $2 each.

Q. That was in 1901?—A. Yes, May 27.

Q. Then, when did you commence to work for money?—A. When the work commenced they wanted labour; they offered good wages, and they came over to see me.

Q. Who were they?—A. Mr. McKay and Mr. Garden.

Q. Who else?—A. And Mr. Burns.

Q. These three gentlemen came to see you?—A. Yes, that is all I can remember.

Q. What was the agreement arrived at between you?—A. They asked if I had any Italian labour to supply to the Canadian Pacific Railway.

Q. How many?—A. In the beginning 100 or 500, whatever I could get.

Q. When was this?—A. On the beginning of the strike.

Q. In May, 1901?—A. In June Garden came to see if I could supply some labourers for the Canadian Pacific Railway.

Q. What did he offer?—A. At that time he offered nothing.

Q. When did he offer anything?—A. As soon as the strike began.

Q. In July?—A. I think so.

Q. What did he offer then?—A. One dollar for each man I could supply.

Q. One dollar for each man?—A. Yes.

Q. How many men did you supply then?—A. During that year of the strike?

Q. During the strike?—A. I might say between 2,000 or more.

Q. Where did you get them?—A. I picked up what I could get in Canada, and when I could get no more here I wrote for some.

Q. Where?—A. I think I wrote to New York.

Q. No where else?—A. I wrote to Boston, but did not get any there.

Q. Anywhere else?—A. That is all; I wrote New York, Boston and Portland.

Q. Did you send any men down there to look for men?—A. I think so.

Q. How many did you send over to the States during that time?—A. Let me see; I sent four, five or perhaps six.

Q. They went to different parts of the States?—A. I sent them to New York, and now I remember I sent men to Philadelphia and to Buffalo; that just comes to my mind.

Q. I thought you had.—A. That is all.

Q. Then, how long did that arrangement continue?—A. That went on until the strike was over.

Q. You got the men's expenses or wages that you sent away as well as the $1 per head?—A. I got no wages, just $1.

Q. Did you get paid for the men you sent over collecting these men?—A. I do not understand.

Q. Who did you send over to Philadelphia?—A. I sent my brother.

Q. How much did you get from the Canadian Pacific Railway for this work?—A. I told you I paid Furnero $3 per day.

Q. And his expenses?—A. I do not know.

Q. You do not remember about his expenses?—A. That is all I remember, $3.

Q. He was not paid his hotel bill besides the $3?—A. That is all I remember.

Q. He got his expenses?—A. He may have, I would not say no.

Q. You charged for his expenses?—A. That is three years ago.

Q. Did you establish any agencies at that time to supply you with men when you wanted them?—A. No, sir.

Q. Did your men do so?—A. My men went by my instructions to New York and Portland wherever they could get the men.

Q. Can you say how long that agreement lasted?—A. I had no expenses at all during the strike, only $1 for each man I supplied.

Q. How long did that agreement last?—A. About three months.

Q. Then you entered into a new agreement?—A. Then this year, I think, the strike was over some time in August; I stayed idle for two or three months and went to see my friends about in the month of October. That same year after I came back here

a new agreement was made that I was to get $5 per day. I was to meet No. 2 train every night and take No. 1 to go on and meet No. 2 as far back as Ottawa or any place to meet that train, and to send back the men where they came from. I did this until January.

Q. Did they get a free pass?—A. Yes.

Q. They were given free passes?—A. Yes, even when I brought them from New York they got free passes coming here.

Q. Did you charge any of them $1 for hiring them?—A. Not at that time.

Q. That was later?—A. Yes.

Q. Then from that date, the fall of 1901 up to 1904 you were paid $5 a day for your work?—A. You will excuse me, no, in December that year I was only given work to settle claims and translations until January. There were some complaints about money, wages, time, and I went with Mr. Burns to New York on January 9, 1902, and stayed there about eight days to settle up all claims in regard to wages. Then we went to Boston to see if anybody there claimed anything.

Q. Yes, what else?—A. Then from Boston came back to Montreal.

Q. Well now, when did you enter into a new agreement after that?—A. Then when I came back to Montreal I made up my bill for January and I think in February and I received a letter from Mr. Burns objecting to giving me the $5 per day any longer, but would pay me so much for translation, so much for investigations, and would give me $5 if I put in a full day's work, but I would be paid so much for each investigation when it took less than a day.

Q. Last year what was the agreement?—A. Last year, 1903, beginning of January, I was sick and was laid up for a couple of months, for seven weeks anyway. After I got a little better and Mr. Burns got me a pass and told me I had better go off on a trip, and I would have liked very well to go, but one of my children here was very sick and I did not go.

Q. What agreement?—A. This was agreement, $5.

Q. $5 per day?—A. When I put in full day.

Q. Did you put in full days from end of March until December?—A. I think from March until December there were four days cut off in October when I went on business to New York, and I was cut off from November.

Q. How many days?—A. If I do not mistake, about $62 or $65.

Q. I think you are not right?—A. You have the paper there. As far as I can remember we had some claims to settle then.

Q. That is later on. Look at the amount in January?—A. In January I took sick.

Q. During that year you got full months. In January, 1903, 2½ days, February, 6½ days; March, 26½ days; April, 29½ days, last April remember?—A. Yes.

Q. April, 1903, a year ago, you got Sundays?—A. Perhaps I worked on Sundays.

Q. I did not think you would work on Sunday?—A. I did, Your Honour.

Q. June, 30 days; July, 31 ; August, 31; September 30, you got paid for Sunday; October, 28, two Sundays struck off, you went to church on those days?—A. Yes, very good.

Q. November, 28 days, anything cut off, two Sundays?—A. In 1903.

Q Anything cut off?—A. I got $62, I am not sure. In December, my friend Skinner cut off that much.

Q. You got an account?—A. In December.

Q. December, 17½ days allowed?—A. That is all right, Mr. Skinner cut off Sundays.

Q. So you were working then?—A. I did some work as before. I thought amount was right so I took it.

Q. You took it because you could not get any more?—A. Yes, if I could have got more I would.

Q. Yes; you complained to Mr. Burns and wrote a hard letter to Mr. Skinner?—A. Well, I do not say so; probably I was looking out for my rights.

Q. Then the $5 arrangement continued until when?—A. Continued until 1903.

Q. 1904?—A. I beg pardon.

Q. What time in 1904?—A. Well, in January I took sick, last year.

Q. This year?—A. Got sick in January.

Q. When was the arrangement entered into?—A. This new arrangement was not in black or white, there was just a verbal arrangement.

Q. Verbal is good enough?—A. In April Mr. Burns spoke about it and on the same day we had to send some people away, and I said I will see.

Q. Did you not agree to it?—A. Well, I agreed to it in my own way. I did not know what he meant.

Q. That you were only to charge $1. $1 on this condition I have named?—A. My idea was that I would supply all the men needed and at the time of signing the contract I would make a list and would charge the company $1 per man.

Q. Would not charge the men anything?—A. Any time I was sending for the men.

Q. You would not charge from the date you entered into the agreement?—A. I wish to say when signing the agreement I charged nothing to any men.

Q. You would not charge the men anything for employing them?—A. Just the time I was working for the Canadian Pacific Railway.

Q. Let us understand the matter. Mr. Burns swears that the agreement between you and him was this, you were to be paid $1 for each man employed by the Canadian Pacific Railway, on the condition that you would not charge the men a single cent. Is that agreement right as Mr. Burns says, answer whether or not it is right. There cannot be two ways of understanding it. Mr. Burns swears that you agreed to supply the Canadian Pacific Railway with men, they to pay you $1 each in condition that you were to charge the men nothing, is that right?—A. Not right, we——

Q. Where is it wrong?—A. It is wrong in this, at the time I worked in my office, in the office belonging to me when a man registered in my office, and when the C.P.R. asked for 100 men I make the contract and I charge nothing to the C.P.R.

Q. Would you refuse a man work without his being on your book?—A. Well, I refused nobody, but I took what was right.

Q. Mr. Burns is wrong when he said you were charging the men nothing?—A. Probably misunderstanding in his way.

Q. There could be no misunderstanding, you are an intelligent man?—A. There must have been a misunderstanding as to the way of hiring.

Q. The C.P.R. allowed you $5 a day for looking after the men you were to hire?—A. No, when I was engaged last year for the C.P.R., I charged nothing. Then when during the strike I wanted 100 men, the men came to me and offered me money to be taken on.

Q. And you charged for these 100 men?—A. Not a cent, when engaged direct for the C.P.R.

Q. It was understood that you were to take nothing?—A. When I was hiring for the C.P.R.

Q. I suppose the men paid you money to get work?—A. The men came to my office which I had fitted up for them; I supplied them with envelopes, writing paper, ink and other conveniences tending to their comfort, and you would not expect me to do this for nothing.

Q. If any men registered last December they paid $1?—A. I do not think there was any labourers registered.

Q. No labourers registered?—A. No.

Q. How many in round numbers paid $10?—A. I cannot remember, but my books will show.

Q. Can you tell me how many?—A. Not very well.

Q. Pellingrino?—A. Paid me not a cent for registration.

Q. Poliseno?—A. Yes, sir.

Q. Del Vecchio?—A. Yes, sir.

Q. Mighella?—A. Yes.
Q. Cirillo?—A. Never paid me a cent.
Q. Maiorano?—A. Yes, $10.
Q. Misite?—A. Yes, $10.
Q. Memme?—A. $10.
Q. Bertone?—A. Nothing.
Q. De Ciccio?—A. Yes, $10.
Q. Taliano?—A. Yes, paid $10.
Q. De Leva?—A. Nothing.
Q. Luigi Vecchio?—A. $10.
Q. Bocconcelli?—A. $10.
Q. P. Bianco?—A. Not one cent. I think he came to complain. He never paid one cent for registering for this year.
Q. Mollo?—A. Never paid a cent for registration this year.
Q. Banchiero?—A. $10.
Q. Spinosa?—A. $10.
Q. Bazzani?—A. He paid $9. He came to me and got $5. I will give him back the rest.
Q. Giacchi?—A. $10.
Q. Fuoco?—A. $10.
Q. Figara?—A. $10.
Q. Pellissio?—A. Nothing.
Q. Onofrio?—A. I gave him back the $10. I wanted his receipt back and he refused it.
Q. Barachino?—A. $10.
Q. Denardi?—A. Nothing.
Q. Scarfo?—A. $10.
Q. Mancini?—A. $10.
Q. Old Giacci?—A. $10.
Q. Leto?—A. $10.
Q. Aceto?—A. $10.
Q. Tisi?—A. $10.
Q. Perluzzi?—A. Nothing.
Q. Cardarello?—A. $10.
Q. Tamnizzi?—A. Nothing.
Q. Antonucci?—A. Has not paid.
Q. How many men had he?—A. 20.
Q. Condo from Boston?—A. $10 and 41 men.
Q. Lisa?—A. $10.
Q. F. Farina?—A. Only $5 as foreman, 53 men.
Q. Mateo Farini?—A. $10, 50 men.
Q. Lenzie, New York?—A. $10, 32 men.
Q. Localio?—A. Has not paid.
Q. Ragonesi?—A. $10, $31 for men.
Q. Zuccaro, New York?—A. $10, 34 men.
Q. Cosenza?—A. Got money back.
Q. Masseni, New York?—A. Sent him money back.
Q. Diana?—A. $35 paid.
Q. Mila?—A. $10.
Q. La Femina?—A. $10.
Q. V. Cordasco?—A. Nothing.
Q. Ant. Giacci, Sciano, Mello?—A. Nothing this year.
Q. Cerrone?—A. $10.
Q. D'Alessandro?—A. $10.
Q. Olivastri?—A. $10.

Q. Filavori, Portland ?—A. This is not paid, 27 men.

Q. M. Tisi ?—A. $10.

Q. Cina ?—A. Not paid, 25 men.

Q. A. Miele ?—A. $10.

Q. Scarpino ?—A. Not paid anything.

By the Commissioner to Mr. Ganna:

Q. All these are foreman ?—A. Yes.

Q. How many are there ?—A. About 62.

Q. How many paid $10 ?—A. More than 50.

Q. Since what time have they paid this amount ?—A. Since about the beginning of November last.

Q. Up to what date ?—A. Up to May or June.

Q. How many do you say ?—A. 62 foremen in all.

Q. Do you know how many men registered with these foremen and some without bosses during that time, from the end of November until the end of June ?—A. I made out a list of 3,863.

Q. Is that right ?—A. I don't know; it is about right. (Hands in list.)

By the Commissoner to Mr. Cordasco :

Q. Will you go over that list and tell me how many paid $3 to you ?—A. I cannot say, probably 300 or 400.

Q. How many paid $2 ?—A. I have not figured it out.

Q. How many paid $4 ?—A. There may have been some, yes, 300 or 400.

Q. 400 ?—A. Yes, 400; Ganna put it in his book.

Q. What did Ganna put in his book ?—A. The amount I received.

Q. You have collected $1 for registering all along, and $2 for getting work for them, and lately you have been charging besides $1 over the $3 ?—A. Your Honour, excuse me, I only got from $1 to $3. The men paid me $1 in December, then $2 in March. Later on in June they came along and wanted to get registered, and they forced me to take more money. I can get half a dozen witnesses to prove this.

Q. How much have you received from these 3,863 men ?—A. The figures are all in the books; they paid $1, $2 or $3.

Q. Have you received $6,000 ?—A. No.

Q. $8,000 ?—A. No, sir.

Q. I will go over the matter, but I don't want to take up the time now, and find out the money that has been paid since November. Where did you get all these men from Mr. Cordasco ?—A. Those I have been receiving lately are from all over. Of course, they know me to be supplying the Canadian Pacific Railway, and lots of men come during the last two or three years from all over and they have all had correspondence with me to know whether there would be work this year and to enter their names. I told them I can say nothing just now, but I expect there will be lots of work. I also told them not to come to Montreal until I called for them by letter or telegram. I told them also to send $1 in order to have their names registered in my books.

Q. Did you tell any of these people that you wanted 10,000 men ?—A. I do not remember that I ever wrote such a letter, if you can show me it.

Q. I do not wish to show anything; from your memory, did you write to any one or advertise that you wanted 10,000 men this spring ?—A. I never authorized any one to put in paper about Cordasco wanting 10,000 men.

Q. Did you write to a firm in the United States stating that you wanted 10,000 men ?—A. I do not quite remember.

Q. Did you ever have a notice posted in Stabile's bank in Boston that you wanted 10,000 men ?—A. I never gave any such instructions.

Q. You heard about that notice ?—A. Ganna wrote him a letter about it.

Q. Where is that letter ?—A. Well, Ganna has got this letter; Ganna you must get that letter. He put it in the book and signed it, saying we wanted 10,000 men.

Q. Cordasco wanted 10,000 men?—A. Yes, Your Honour.

Q. You heard that such notice was in Stabile's office ?—A. No.

Q. What business had Ganna to write over your name and state that you wanted 10,000 men?—A. He signed many of my letters; we were good friends.

Q. You did not hear that your name was on that notice?—A. I never heard that. I asked Ganna who authorized him and why he advertised in the papers for 10,000 men.

Q. You will show me that letter you wrote, you had better have the letter book here?—A. You have all my papers. I have all my office before you.

Q. I want your letter books to-morrow morning.—A. You will have them.

Q. Do you know Mr. Paretti in Italy ?—A. I never saw the man until I heard about this party when Deputy Minister King came to Montreal.

Q. You will swear to that now that you never heard of him until Mr. King came here ?—A. I can swear that.

Q. You can swear that ?—A. That is as I remember.

Q. I wish to warn you to be very careful because it is a serious matter if any one swears what is untrue; I want you to be careful.—A. I will tell you——

Q. Do you know Mr. Paretti?—A. Never saw him.

Q. Ever wrote to him?—A. Not myself.

Q. Did you ever write to him?—A. No, sir.

Q. Ever send him any of your cards?—A. No.

Q. Nor letter?—A. Not that I know of.

Q. Without your knowledge ?—A. I found out there was some communications between A. N. Ganna, my bookkeeper, and him.

Q. Ever send him any newspaper ?—A. Mr. Ganna——

Q. I am asking you, not Mr. Ganna ?—A. I did not myself.

Q. Did you ask Mr. Ganna to send for one?—A. No, sir.

Q. And write him letters ?—A. Well, sometimes Ganna writes letters and posts them without showing them to me. In these letters he may have said it is likely that Mr. Antonio Cordasco will want 10,000 men.

Q. Do you know where Paretti lives ?—A. No, sir.

Q. Not even where he lives ?—A. No, sir.

Q. Did you ever receive a letter from Paretti ?—A. Well, I don't think until Mr. King——

Q. Yourself ?—A. Myself, I did not myself.

Q. Did you ever receive a letter from Mr. Paretti ?—A. I do not quite remember.

Q. Now Mr. King, did not see that letter at all from Mr. Paretti ?—A. I think he saw it.

Q. No, he did not; I saw it first and you produced it to me; do you remember that ?—A. Probably you did.

Q. On the 1st July ?—A. Probably I did.

Q. Did you ever see it before I saw it ?—A. That is the time I saw the letter from Paretti when Mr. King was here.

Q. You did not show it to Mr. King?—A. Mr. Ganna——

Q. Never mind Mr. Ganna, I want you to answer for yourself; did you show that letter to Mr. King ?—A. I did not know such a letter.

Q. You stated you knew when he came here. I understand he knew nothing of this letter from Paretti to you ?—A. I guess that is right.

Q. When did you get that ?—A. That letter was received.

Q. You got that letter ?—A. Yes, I got that letter.

Q. You did get that letter from Paretti ?—A. Yes.

Q. When ?—A. Some time ago; I do not remember it.

Q. About the time it is dated; have you got that letter, Mr. Cordasco ?—A. The letter from Paretti? Your Honour, I think, has got it.

Q. Just see if you have it ?—A. (Looks in book). That is it, 1st March, 1904.

Q. On the 1st March you wrote to Mr. Paretti as follows:—

Sig. Antonio Paretti,
94 Aquileia, Udine, Italy.

I am in possession of newspaper which you were so kind as to send to me; also your cards, and wish to thank you for them; also two packages. I am sending you the time-table which you asked me for and my address, which you can give to the people so that I will know them when they come.

At the end of the present month there will open up great and important works, and I must supply about 10,000 labourers. If you have any passengers, you can send them without any fear—I am able to give them immediate work. The salary will be $1.50 a day; besides that they will get a return ticket from any locality; they can board themselves or get board as they like. The work will last long and the payment is sure. Each man gets a contract in Italian, containing the clear conditions under which they have to work, in which is specified the length of time, salary, &c. In one word, there will be no tricks or schemes. I am always here to defend the interests of compatriots. I am besides in touch with other navigation agents in Italy, and they have already written to me that they will send some passengers to me this month. If you send any to me, please supply them with two of my business cards that I sent you, so that each passenger landing at New York will be recognized by one of my agents, which agent, authorized by me, will accompany them to the train, and on the train to Montreal, so that they won't be taken up by anybody else, or fall into the hands of speculators.

Already a large number of workers arrive continuously, especially from Vicenzo, Treviso, and some from Padova, Belleno, also some from Pordenone, Codroipo.

If you wish to send us any men, you need not have any fear, and send them all to my address. You must notify me in time when the men will arrive, sending the names of the passengers and of the company and boat by which they start.

With regards,

(Sgd.) ANTONIO CORDASCO,
Per A. Ganna.

A. I never signed this letter, never authorized anybody to sign it.

Q. Did you get a letter in answer, do you remember that?—A. There was an answer.

Q. You remember that?—A. That time I was nearly firing Mr. Ganna. I did not want to fire anybody until I was sure, any way.

Q. You had received a postal card from Mr. Paretti before March 1?—A. I never knew there was any correspondence with this man.

Q. Will you look at this post card and see if you did not hand that to me on July 1?—A. Yes, I did.

Q. You got that?—A. I said there was a man.

Q. You got that letter in February or March 1?—A. I handed that post card because I knew nothing about the letter.

Q. You got that post card about March 1?—A. I don't know.

Q. Now, do you know what that post card says—(Reads)) :—

Udine, February 17, 1904.

'Mr. Antonio Cordasco, Montreal.

'I received a newspaper, the *Corriere del Canada,* in which appears your distinguished name, as I believe you are the kind donor. As we have a strong stream of emigration (from the Venetian Provinces) towards that country, I should be very glad to frequently receive your newspaper, and I can reciprocate by sending you Italian papers.

'You might send me a time-table of the Canadian Pacific Railway from Montreal to the interior of Canada, with a map.

'Always at your disposal, and thanking you,

'Yours truly,

'ANTONIO PARETTI.'

Q. You know the paper?—A. I know the paper.

A. Pretty good paper?—A. It is all right, I think.

Q. Bears your distinguished name?—A. I never sent any.

Q. 'As I believe you are the kind donor,' you never sent that? 'As we have a strong stream of emigration from the Venetian Provinces,' &c?—A. I never had any communication with that gentleman.

Q. You remember reading that?—A. I think so.

Q. And you answered it?—A. No, I did not; ask Antonio Ganna; you can bring him under oath.

Q. I don't want to bring Ganna.—A. I blame him for the whole thing.

Q. Did you get another letter from Mr. Paretti?—A. I do not know what is coming. Well, go ahead.

Q. That I am trying to do but very slowly. On April 6, 1904, you again wrote to Mr. Paretti, do you remember that?—A. I don't remember.

Q. You say :—

MONTREAL, April 6, 1904.

'Mr. ANTONIO PARETTI,
'94 Via Aquilea, Udine.

'In these days some Italians come to me showing your blank business card and saying that you recommended them to me, and although the presentation signal was not a sure guarantee, I received them and I shall send them to work.

'In future it will be better, when you send Italians to me, to give them one of my business cards with your office stamp on them, and I shall be sure they are sent by you.

'Some time ago I sent you several business cards, to-day I am sending you some more of them.

'I thank you for the newspaper you sent me and hope you will receive weekly the newspaper that I send you.

'Yours truly,

'ANTONIO CORDASCO,
Per A. GANNA.

—A. Is my signature there, if it is then I will be responsible, Your Honour.

Q. Let me see the letter book, page 48. It is your signature, per A. Ganna, your stamp.—A. Anybody can make a stamp. I never authorized this gentleman to sign this.

Q. On April 26, 1904, you wrote again to Mr. Paretti :—

'MONTREAL, April 26, 1904.

'Mr. ANTONIO PARETTI,
'Udine, Italy.

'I confirm my letter of the 6th inst., and I address you the present to clear up some facts that cause me annoyance, that I do not need to have.

'Many immigrants from the Venetian Provinces came to me declaring they were sent by you, but without any card of recognition, and alleging that you had promised that they would be sent to work in two days.

'I don't wish to blame you for that nor do I believe what the men say, but I think it is better to clear the matter up. I give employment to all Italians who come to me as I wrote you in my letter of March 1, but it is absurd to expect that I am to give employment to-morrow to a man who applies to-day to my office. I could not put him

before the others who are awaiting their turn to go and work. Please note that this year we had an uncommonly long and hard winter, and in the west, where important railway works will be done the roads and land are still frozen, and it is no use sending labourers there. This year I sent away only 70, while in previous years at this time I sent away more than a thousand.

'Please note that many of your men declare that they are stonecutters, and that you promised them I would have them employed in this quality. I never wrote this.

'Many of these men said that they did not intend to work on railways, but to obtain from me free transportation to British Columbia, and then with very little money to go to Michel and work in the coal mines.

'You will understand how all this annoys me. I am not responsible for the extremely cold season that prevents the companies from starting work.

'No one has sent men away yet, and I have only sent 70.

'In conclusion, so as to eliminate trouble, from this moment do not send me any more passengers, and if you like to send some, please inform me how many are coming (as I asked you in my letter of March 1), and every man must have my business card with your office stamp on, and they must be warned that they must wait for their turn to go to work. Please, in the notice that you send me, state that you have warned them that they will have to await their turn. Also please send me a list with the names of the pasengers you send me. Outside of these conditions, I am sorry to say that I could not accept the responsibility of giving work to your passengers. Please inform them that I will send them to work on railway construction and that they will have to work with pick and shovel.

'If, afterwards, some roadmaster may chose of them for some special work it will be all the better for them but I cannot guarantee to employ men in any particular quality.

'Yours truly,

'ANTONIO CORDASCO,

'Per A. GANNA.

Q. That is a pretty good letter?—A. I see something good on this letter, but Ganna wrote without my authorization.

Q. You are to blame?—A. Of course I am to blame.

Q. You remember a man named Ludwig, of Chiasso?—A. I wrote him last fall, I did it myself, I admit this.

Q. (Looking over letter.) That is to Ludwig, I see?—A. I wrote to Chiasso.

Q. When?—A. Last fall some time.

Q. To Ludwig, the 18th October?—A. Some time like that.

Q. The letter reads :

'MONTREAL, October 18, 1903.

'Mr. LUDWIG, Passenger Agent,
'Chiasso.

'By the same mail I am sending you a package of my business cards, asking you to hand them to the passengers, or better to the labourers that you will send directly to me.

'Please note that work here is never short and anybody you will send to me personally are sure to be employed. In summer you may send hundreds of them and be sure that as soon as they arrive they will find work at once.

'To satisfy the Italians better, I have opened a banking office of which I send a circular to you and from which you will see that I can do all that they request.

'Awaiting for some shipment and to hear from you soon.

'Yours truly,

'A. CORDASCO.

'P.S.—Please note that on the Canadian Pacific Railway alone I employ about 4,000 men per year, besides the other companies. Please take all the information you may require about me.'

Q. Ganna did not sign that?—A. These are matters I do not want to deny.

Q. You need not, your letter book shows that you signed it yourself.

Q. Then you received a letter from Mr. Ludwig?—A. Probably.

Q. He was an agent for sending prospective emigrants out. He wrote you as follows :—

'Chiasso, November 27, 1903.

'Mr. A. Cordask,
441 St. James street, Montreal.

'I received in good time your favour of the 18th October. I did not answer at once because I wanted to get some information about you.

'Now, as the information regarding you has reached me and it is pretty good, I am going to try and send you some passengers in the hope that they will not be cheated, and if I see that you act as an honest man I shall give your address to all the passengers who go to Montreal.

'What I especially recommend to you is not to change your residence every moment like a wandering merchant.

'On your envelope the address is 441 St. James Street and on your business card is 375; now which of the two is your right address.

'If you provide work for some of my passengers you must be satisfied with a modest commission and Alberto Dini, with whom I worked until now placed my passengers without any commission, and I never had any complaint against him.

'We shall see then if you will work with the same conscience and punctuality.

'Waiting to hear from you.

'F. LUDWIG.'

Q. On December 7th you wrote him a very long letter?—A. At the time I wrote I could secure no men at all.

Q. In that you first speak of your address and of your good qualifications and you state :

'You must know after this that it has never been in my habits to cheat passengers of any nationality. I want and intend to be respected and I know how to respect others, no matter if they are rich or poor. I do not need that you should wait to see if I act as an honest man. I am an honest man like you and more than some Swissmen who ran away from his country to come here to cheat the others.

'Every year I secure work for 4,000 or 5,000 men and next spring I need 10,000 to employ in the Canadian Pacific Railway and other railway companies and contractors, and you must know that all the workingmen for whom I secured work, when the season is over and that have paid every expense they can save from $150 to $600.

A. I guess you are right; Ganna may have put in about our employing 4,000 or 5,000 men. I did not say anything about 10,000 men.

Q. Do you remember sending that letter?—A. I never mentioned to this agent 10,000.

Q. You never mentioned that number to anybody?—A. I think not, I do not recollect.

Q. Are you quite clear?—A. Quite right. I never authorized Ganna to write about these men.

Q. Mr. Ganna did not write all your letters?—A. I was away last winter, he did all the work.

Q. You knew what he was doing very well?—A. I did not know that he was doing such business as to say I wanted 10,000 men.

Q. Supposing you look at the letter of February 9 to Mr. Aristide Guerrieri, it reads as follows:

'MONTREAL, February 9, 1904.

'Mr. ARISTIDE GUERRIERI,

'P. O. Box 11,

'Mapleton Dep., Pa.

'Your letter (without any date), I am sorry to say that I shall not be able to find and work that may suit you.

'I find work for thousands of men, and this year I shall be in need of 10,000 of them, but I need only men that can work with shovel and pick.

'Yours truly.'

A. On February 9 I was in bed and Ganna was manager in office. I did not authorize that.

Q. What about January 6?—A. I got sick, I think then.

Q. You were not sick on that date. You wrote on that date :—

'MONTREAL, January 6, 1904.

'Messrs. LUCA CAMMAROTA & Co.,

'13 Burns street, Fall River, Mass.

'I promptly answer to your letter. I do not make shipments to Nova Scotia. I send men to work for the C.P.R. and other great companies and contractors, and this year I shall be in need of 10,000 men.

'The first shipment will be sure in spring, according to the weather, and the first to start are those marked in my books.

'If you want more particulars write to me and I shall give them to you.

'Yours truly.'

A. I do not want to dispute any letter, but when Ganna says 10,000 men, I never authorized him.

Q. Suppose we take January 26, what about that date, were you pretty sick then?—A. Well, I was sick about six weeks.

Q. Able to talk?—A. Yes.

Q. I think so. Well, on January 26, you wrote :—

MONTREAL, January 26, 1904.

'Mr LUIGI SCARCELLA,

'243 Rideau street, Ottawa, Ont.

'In reply to your letter of the 23rd instant, of the contents of which I took note, but in this moment I do not know where I can find work for you.

'Next season I shall be in need of 10,000 men whose work will be heavy, and I understand in your letter you do not like to work with the shovel.

'In the beginning of March please write again and will see if I can do anything for you, but I cannot promise anything.

'Yours truly.'

Q. Do you remember writing that letter?—A. I can positively swear I never authorized Ganna to write about 10,000 men.

Q. You remember writing to Ludwig to send hundreds of them?—A. Last October was my first letter to send more men.

Q. But you tell him to send hundreds of them?—A. If I did that in my first letter I am wrong, but I will have to say I did so. A great many men in the States sent me over money.

Q. $10 for foreman and $1 each for gangs?—A. Yes, Your Honour.

Q. How many hundreds came over from the States?—A. I cannot say. I cannot tell now.

Q. Will you find it for me?—A. About 2,000 or 3,000.

Q. They pay $1 for having their name put down here?—A. Yes.

Q. Here in Montreal?—A. Yes.

Q. You require them to pay $1 before putting them down?—A. They have to pay $1.

Q. You would not put them down unless they paid $1?—A. There is no use working for fun.

Q. I am asking whether you would not put their name down without their paying the $1?—A. No.

Q. So that it was compulsory that they first register with you and pay $1?—A. Any man who applies for work has to pay $1.

Q. $10 for foremen, $1 for registering, and then going out to get work $2 or $3. You have been telling me some time ago that it was a matter left to their free will to pay or not?—A. They come and offer me money.

Q. But you demand the dollar?—A. I do.

Q. So that it is no free-will offering on their part. I see that there are some who have to pay $10 as foremen. I have a number of letters from the States, men sending $25, $50 and other large sums of money, some of them asking that their names be put down and you refuse to put their names down unless the foremen has sent the $10?—A. That is my order.

Q. You do business with Messrs. Stabile & Co.?—A. When I want men I get them from New York.

Q. How many last year did they send over?—A. 600, 800 or 1,000. I gave everything to Mr. Burns.

Q. You send everything to Mr. Burns' office?—A. Yes.

Q. Do you divide up the commission with Mr. Burns ?—A. No, sir.

Q. How much do you give him ?—A. Not a cent.

Q. Have you got an entry of that in any way ?—A. No.

Q. No book entry ?—A. No.

Q. It goes into Cordasco's pocket?—A. And from my pocket into the Toronto Bank.

Q. How many men come over from the States for 4, 5 or 6 months?—A. All I can say that when they come I ask them why they cannot stop here and make a British subject.

Q. How many men come over from the States for two or three months ?—A. I don't know that.

Q. For six months ?—A. I don't know; the Italians come 200 or 300 strong, sometimes there may be 2,000 of them; they do not come to stay.

Q. None of them ?—A. Some.

Q. How many ?—A. 200 or 300.

Q. Are all these men entered in your book who come here ?—A. Yes.

Q. How many came from Italy with your cards ?—A. Five or ten cards belonging to me, simply saying Antonio Cordasco a good friend.

Q. Have you got any of these cards ?—A. They were simply little cards.

Q. Have you any ?—A. I have not got any.

Q. Now, in March, April and May there were a great many Italians in Montreal ?—A. Yes.

Q. How many ?—A. My idea is, I do not know, 5,000 or 6,000.

Q. How many of these reported to you ?

A. None.

Q. How many came to your office for work ?—A. Hundreds and hundreds. I estimated the number here at 3,000 or 4,000, not quite 1,500 came for work to my office.

Q. All these men that you have put in your register called at your office ?—A. Yes.

Q. So that as soon as Mr. Ganna counts up in your register you will know how many called ?—A. Probably.

Q. I suppose a great many called that did not register ?—A. Not many, for none had money.

Q. They knew it was not worth while to go; if they went they would not be put in your book.

Q. How many men came to your office that did not register ?—A. I cannot say.

Q. About how many ?—A. Hundreds and hundreds.

Q. How many hundreds came that did not register ?—A. I cannot say.

Q. 2,000, 3,000, 15,000 ?—A. I cannot say, probably 2,000 or 3,000.

Q. How many of these were destitute, that is unable to buy provisions for themselves ?—A. In my office there were only two or three.

Q. Only two or three ?—A. Two or three Italians.

Q. How many men do you think among those in Montreal were unable to get bread ?—A. I cannot say.

Q. You heard the evidence ?—A. Probably 600 or 800, some of them who had money applied for bread.

Q. How many did that ?—A. A good many.

Q. Here are some nice little cards ?—A. That is Cordasco, I cannot deny that.

Q. Do you know that these men had two ?—A. That is my name, but not my card.

Q. That was given to a man at Antwerp, have you an agent there ?—A. No, sir.

Q. Who gave him that ?—A. I cannot say.

Q. How did he come to put your name in print ?—A. My name is pretty well known all over.

Q. That is your name ?—A. Yes.

Q. Address ?—A. Yes.

Q. Delivered to passengers at Antwerp ?—A. Yes.

Q. How did it come there ?—A. Some men sent them. I cannot say whether Mr. Ganna sent cards. I don't blame him, as I might have said, 'send a large number of cards.'

Q. But Ganna did not get this card printed ?—A. Ganna, he did everything.

Q. Did you get this card printed ?—A. Ganna will know.

Q. Will you read it in English ?A. (Reads) 'Montreal, February 25, 1904. Invitation to the banquet given by the Italian foremen in honour of the King of Labour on the evening of Saturday, February 27, 1904, at the Hotel D'Italia, No. 471 Craig St., Montreal, Canada. The President of the Committee, F. Cordasco.'

Q. Who was that given to ?—A. It must have been to Antonio Cordasco.

Q. Was he king of the workingmen ?—A. I was then, but not to-day.

Q. That was in February, did you get that printed ?—A. There is the gentleman who did the work. (Pointing to Ganna).

Q. At your request ?—A. Well, I told him to go ahead.

Q. You got up the banquet ?—A. Well yes, cost me something.

Q. You were king and got up the banquet ?—A. These men paid some money too.

Q. What is that emblem there ?—A. I don't know.

Q. Does not that crest belong to Italy?—A. It is not the full crown of Italy.

Q. Is that the emblem of Italy ?—A. It is not the full crown, I do not know.

Q. I suppose it would be very wrong to put on the full crown?—A. Ganna did that.

Q. Poor Ganna, what about these envelopes, did you get them up?—A. Mr. Ganna got these up.

Q. Not the full crown?—A. Some machine like that.

Q. Did he print these?—A. He ordered some one to print them.

Q. Where?—A. Some one in Montreal.

Q. The 'Corriere del Canada ?'—A. I think so.

Q. Cordasco runs that paper?—A. Cordasco gives some money.

Q. That looks very official, does it not?—A. I cannot say.

Q. On arrival in Italy, they would think that came from the king?—A. I do not know that, Your Honour.

Q. You had these envelopes in different colours, green, blue, yellow and brown. These are all Antonio Cordasco's crests?—A. Yes, Your Honour.

Q. Those going to Italy have the Italian emblem. That was for usual correspondence?—A. I don't know that is what he says, it is not the full crown.

Q. You have these go to Italy, Mr. Cordasco?—A. I did not call myself King.

Q. You came pretty near?—A. Now they try to dismiss me, those friends of mine.

Q. That is the way, there seems to be a great want of Christianity.—A. Like Our Lord, the Jews took him and said we want to kill him.

Q. Now, you wrote to Peter Bazzano on January 11?—A. I think I know about that.

Q. You told him:

'MONTREAL, January 11, 1904.

'Mr. PETER BAZZANO,

'P.O. Box 4210, Sydney, C.B.

'In reply to your letter, as I told you already, the first to be shipped are those already marked in my books, and who come every day to give their names, paying by their own will, the interpreters $10 and the men $1 each for office fees.

'If you and your men intend to be shipped by me, and if you like to pay what the others have paid, send the list of the men and the money order.

'The shipments will be in spring, according to the weather, and the contract must be signed in Montreal personally.

'The wages will be as they always have been.

'As I told you before, if you like to send your names to me I will try to get a free pass for you from St. John.

'Yours truly.

Q. You got the money order?—A. That is correct.

Q. And he has not got work?—A. His turn has not come.

Q. Did you do that with many?—A. The work did not begin.

Q. How many did you register at that time, when you got the money?—A. I cannot say.

Q. Will you find out and let me know to-morrow?—A. Yes.

Q. I notice in reading these lists here they show that you demanded money from men, and that you received money from some of them. You will give me a list of names you received other than the men registered to-morrow morning?—A. You will have to give Mr. Ganna time, we will work all night.

Q. You wrote letters, of which the following is a sample, to a great many men in the United States:

'I have received your letter. The shipment will start as soon as the season will permit it, but the first to start will be those who entered their names in my books paying willingly, the interpreters $10 each and the men $1 for office fees.

'All the names of the men will be entered progressively, and when their turn will come they will be notified by letter.

'Every interpreter has to give the name of 50 men.

The daily wages for the interpreters will be $2.50 and more, and $1.50 and more for the men.

'Men can board by themselves.

'The transportation will be free up and down from and to Montreal.

'The contracts will be signed in Montreal.

'If you want to enter the names for the first shipments, send the list of the names, the money order and your address clearly written.

'Yours truly.'

Q. That form of letter was sent to a number of men in the states?—A. These men they wrote me first.

Q. That is the form of letter you wrote?—A. I did not authorize this letter.

Q. That is the reply to the letter you sent. Send a money order, if for 50 men $50, and $10 besides for an interpreter, or $100 for 100 men?—A. Yes, sir.

Q. And when they came here asking you for work you required them to pay you $1 before you would register their names, and when these men were entered in your books you charged them $2 more for getting them work.—A. Yes, and $1 for keeping them on my books.

Q. And then $2 or more when you got them work?—A. In order to keep my office here I have to make big expenses, Your Honour.

Q. And you got a great number of letters to that effect?—A. I cannot live on air, I have heavy expenses.

Q. You remember Ubalde Zembla, of 167 Willa Ave., New York?—A. Have I got his name on my list?

Q. He sent a money order, but there is no entry in your books. You wrote him on February 3 : 'I received a cheque for $51 for which I acknowledged receipt in due course, and I received the list of the men which had been progressively entered in my books' ?—A. That might have happened.

Q. Do you remember that fact?—A. I remember several letters were received and we replied to them.

Q. Did you get $10 from Rafaele La Femina?—A. Yes. I got his name on the list.

Q. Did he get his money back?—A. He said he was going to work to the——

Q. No matter what he said, did he get his money back ?—A. No.

Q. He put it into the lawyers' hands to prosecute, and you said you would pay it back ?—A. He said he had registered with me and would wait a while.

Q. Were the Canadian Pacific Railway calling for any men?—A. No.

Q. You did not give him back his money yet?—A. Yes.

Q. Do you know Frank Aiello of New York?—A. Yes.

Q. An agent of yours ?—A. A friend of mine.

Q. An agent of yours—you have used him as an agent ?—A. Well, yes, I took some men from him last year.

Q. On January 6 he telegraphed you: 'Have sent 156 men from New York and 57 from Buffalo. Their passage both ways are prepaid. One paid fare from Montreal to New York' ?—A. Yes, that is an answer to my telegram. I got it from New York. The company wanted over 200 men.

Q. Then Bianco Stabile is your agent too?—A. Yes.

Q. How many men did he send over?—A. 15 and 25, that would be 40 on January 6. From Boston there came 75, they paid their own fare to Montreal.

Q. So that you telegraphed these gentlemen to send you over men in January?—A. Not for any work here.

Q. You telegraphed for these men, did you not, answer?—A. Put me one question at a time.

Q. Did you telegraph for these men to Aiello and Stabile?—A. I telegraphed for them.

Q. Did these men come?—A. No men came.

Q. Why?—A. Because Stabile got order.

Q. How many men were shipped from Boston and New York. How many were shipped with passes and without passes?—A. That is before January?

Q. Yes.—A. Shipped last fall?

Q. Yes.—A. I will find out. I do not want to put myself in trouble, I want to answer the questions every time.

Q. Do you know Messrs. M. Torchia and Co., of Boston?—A. I had correspondence with them.

Q. You heard they were hiring men there to go to British Columbia?—A. I remember about them, they wanted to supply men and I wrote them back I had no work beginning here.

Q. On March 12, 1904, you wrote them:—

'Montreal, March 12, 1904.

'Messrs. M. Torchia & Co.,
'Boston, Mass.

'I was told that in your bank you hire men to go and work for the C.P.R., in British Columbia, paying one dollar each.

'Really this is very strange news, because I am the sole agent for supplying men to the C.P.R., and I did not give any order to any body to hire men.

'If I had to give such order for Boston, Messrs. Stabile & Co. are my sole agents, so in the event that you have men who want to go and work you must apply to Stabile & Co., who will give you all the information you may require. No shipment of men will be recognized but those made through Stabile & Co.

'Yours truly,'

—A. That is right, that is correct.

Q. You would not let any one else hire men for the C.P.R.?—A. They were strangers. They should not hire men for the C.P.R. without getting their permission.

Q. That is your permission. Why did you not let them have some of these men hired by other people. Why refuse work here and require an entry in your books before they went to work?—A. I do not know.

Q. Just think?—A. I don't think any thing about it.

Q. Did you not know that man in North Bay?—A. Barrachino?

Q. He hires men?—A. He has been hired in Montreal and we refused him.

Q. They refused them in North Bay?—A. There were some men hired for the C. P.R. and were refused, were hired through me?

Q. Well, I will have to show you a letter you wrote to Mr. Burns. You would not let them go to work unless they came through your office, until registered.—A. I do not understand the question.

Q. The roadmaster heard of the same and made a complaint, stating that these men came through your office?—A. Yes.

Q. And they were refused work because of that fact?—A. I don't know that they were refused.

Q. They came back, were registered in your office and got work?—A. I do not remember. Every day there are men coming to my office.

Adjourned until 10 a.m., on July 23, 1904.

Montreal, July 23, 1904.

The Court House, 10 a.m.,

The Commission resumes.

PRESENT :

His Honour, Judge Winchester, *Commissioner.*

H. M. Mowat, Esq., *Counsel for the Dominion Government.*

Mr. Hormisdas Laporte, being sworn.

By Mr. Mowat :

Q. Are you mayor of Montreal for this year?—A. Yes, sir.

Q. When did you become aware of the presence in Montreal of a large number of Italian labourers, in the month of May, I think ?—A. Yes, in the month of May a large number of Italian labourers in our streets, in going through the district.

Q. Your daily walks happened up there?—A. I live up town and have to come down Windsor and James streets about six times a day.

Q. Any representations made to you by anybody that it might become a matter of embarrassment?—A. I think at the end of May, I cannot remember the date, about the 28th or 29th, Mr. Catelli called at the city hall.

Q. Was he acting in an official capacity?—A. Yes, he came as a representative of the Italian Benevolent Association, to which the city had subscribed a couple of hundred dollars at my request in last December.

Q. Did he say they had no more money, what was the reason he came?—A. He came on a Monday afternoon during a meeting of council, and told me that he wished to notify the civic authorities that the association had spent all their money, more than the money subscribed for such purposes as it was money sent by the Italian government to furnish a building on Windsor street to be used as a refuge, and that they were at the end of their resources, and he thought it his duty to notify the civic authorities that the association would not be responsible for what might take place in future, These people were very peaceable and they never had any trouble with them, and he said it seemed to him that the city must provide for them as they needed bread to keep them from starving. I then inquired of him what was the number of people that were without resources, and he said about 1,200, I think that a few of them will find help from their relatives and friends and will find lodgings with friends, but the others have no money, no friends and no resources and depend entirely on public help.

Q. After getting this report from Mr. Catelli, did it appear to you as head of the municipality there was something to be done—A. Surely.

Q. What did you do, ask for a police report?—A. I invited Mr. Catelli to call on me next morning at my office beween 11 and 12. At the same time I called Mr. Lane, who was secretary of the charity organizations of Montreal, and on whom I depend greatly to get first information on any people who ask for help, and then Mr. Catelli and Mr. Lane and other gentlemen came to my office. We discussed the situation, and after having Mr. Catelli's statement corroborated more or less by some other people there, I wrote to Sir Wilfrid Laurier, and we advised Mr. Lane to give notice through the newspapers that he would receive subscriptions from the public, and that he would take the responsibility of distributing money to those immigrants who had no means to the best of his judgment.

Q. I understand it was on May 31 that you wrote to the premier, you have not got the letter?—A. I have just given instructions to get a copy of it, which will be here in a few minutes, it was on May 31.

Q. Was there any further correspondence with the government?—A. Well, I received an acknowledgment from Sir Wilfrid Laurier saying he had referred the matter to the Minister of the Interior, and a couple of days after, two or three days. I received a telephone from Mr. Lane informing me that 100 more immigrants had arrived on the same day and I received the confirmation of that telephone by other authorities. I had learned that accommodation had been secured by 500 immigrants who were to come by Hudson river and Albany at the rate of 100 daily.

Q. Coming from New York?—A. I was told that there were 500 to come by the same road as the 100 who came by the Hudson River and Albany and then by railroad to Montreal. Then the situation promised to become worse. Then many of our citizens who had knowledge of the city affairs asked me to interfere and get the Minister to write immediately, as we were afraid of trouble if this immigration was not stopped.

Q. I think you afterwards got some reports from the police, one of which I see here?—A. Yes, on June 3.

Q. I have a letter addressed to you by Mr. Charpentier, chief detective; it reads:—

CITY HALL, MONTREAL, June 3, 1904.

'H. LAPORTE, Esq.,

'Mayor, City.

'SIR,—With reference to my letter of this date, I have the honour to submit the following additional report: I interviewed Mr. Charles Honoré Catelli, Chairman de

la Société de Secours d'Immigration Italienne, who stated that there were between 1,500 and 2,000 Italians out of work in the city now, about 500 of whom are in need of assistance. About 500 more Italians are expected to arrive this week from the United States. The Société distributed this morning 130 one and one-half pound loaves of bread, and Mr. Catelli states that their funds are now exhausted, and they cannot do anything more. Mr. Catelli suggested that it would be well if the railroad companies applied to the immigration agencies direct for labourers instead of to the employment agencies, because then those who have no money would have an equal chance of securing employment with those who have funds. The Immigration Society have already tried to have this plan followed, but without success.

'I inclose herewith copy of report from Detective Riopel, who was detailed to interview the Italian consul.

'I have the honour to be, sir,
'Your obedient servant,

JOSEPH CHARPENTIER.
'*Sergeant Detective.*'

This is the inclosure mentioned :—

'June 3, 1904.

'As per instructions from Sergeant Detective Charpentier, I proceeded to 107 Mackay street, where I interviewed Count Mazza, Italian Consul. He stated that to-day there are a number of Italians in Montreal who have been brought here by some 'ads.' in different papers. He would not tell me the number, but said that there are not many more this year than previous years; but that this year the big companies, like the Grand Trunk and Canadian Pacific, who used to take thousands, only take hundreds. He also stated that some of these men informed him that they were told they would get work as soon as they got off the ship on this side. He further said that just now some one is bringing more of these people from the United States. He said that the Italian Society knows how many of these men are here now. He informed me that on April 20 and May 10 last he cabled to Italy to stop these men from coming here, but he is informed that more are coming. He thinks that the government should take some means to send them back to Italy or find some work for them, because he claims they have no money and no means whatever to support themselves. He stated that the Italian Society's funds are exhausted and they are not able to support them any longer.

'(Signed), ALFRED RIOPEL.'

Q. Have you formed any opinion, Mr. Mayor, as to the work done by certain employment agencies, whether there is any action taken by them or whether there is any trouble likely to arise from the indiscriminate bringing in of labourers ?—A. Well, I would not like to express an opinion on the subject; you see the documents just read. I suppose evidence can be secured from the men which will assist the court to form its judgment without any expression of opinion from me.

By the Commissioner :

Q. Did you make inquiry as to where these men came from?—A. In the case of 600, yes; they told me they came from New York.

Q. Did they arrive from Italy in New York, or live in New York?—A. I understood they had just arrived from Italy. They were unloaded at New York and shipped from there.

Q. These were really destitute?—A. Well, I cannot say that the whole were destitute.

Q. One would imagine that it was those that came from Italy that were destitute rather than those from the states?—A. That is what I thought. That is why I took so much trouble to try and stop them. I understood that those unloaded in New York

and shipped here were not the most desirable immigrants, and that the Americans did not want them.

Q. Did you ascertain what induced them to come here?—A. By some personal investigation I made.

Q. You made a personal investigation?—A. Yes; they came to my office four or five a day for money. A large number of people took an interest in these troubles, citizens of Montreal and gentlemen connected with the Italians, and I understood that these troubles were caused principally by certain agencies preferring to give work to those who had made deposits first and leave the others without work.

Q. Do you know who were interested in bringing them out?—A. Well, I had the names of a few agents; Mr. Cordasco, who, I understand, claimed that he had large contracts from railway companies which he must fill, and he brought out a certain number of men.

Q. Do you remember how many?—A. He never mentioned the exact number to me.

Q. Did he mention about how many he would require on the railway?—A. He mentioned last year about 10,000 men would find employment.

Q. That he wanted 10,000?—A. He expected that number would be required this year.

Q. When was this he said that?—A. It was on the 1st or 2nd of June, a couple of days after Mr. Catelli had made his declaration to me. Mr. Cordasco came to my office, and in the presence of some gentlemen, among whom was Alderman Gallery, he tried to show that he was discriminating, and that all of the men had money, and had shown some, and were spending it very freely in saloons. As this did not correspond with my information, I contested the statement, but it was corroboraetd by a couple of other agencies.

Q. You then thought the statement incorrect from your personal investigation?—A. From the information I had through the Italians and gentlemen connected with the Italian colony, who had always taken a great interest in their welfare, like Mr. Catelli, I found it was not correct.

Q. Do you remember seeing any of these men intoxicated on the streets?—A. Never. I do not remember seeing any.

Q. What means were taken to secure employment for these men?—A. I had applied to the newspapers to publish at such a place in the paper a statement to the effect that we had a large number of workingmen desirous of work who would be willing to accept work in any part of the country. This had been done by the newspapers very freely, and a number of letters came from Manitoba and the North-west Territories, and I passed these letters to Mr. Candori's office, and they shipped a certain number.

Q. How many were shipped in that way?—A. I cannot tell you.

Q. About how many?—A. 100 or 200. I know Mr. Catelli informed me he had shipped 50 to one man, and 10 or more to others.

Q. What was the expenditure to the city in consequence of the influx?—A. The city did not contribute any money as a city; the citizens gave. I cannot tell how much money was subscribed. I started myself with a few dollars.

Q. By private subscriptions?—A. Yes.

Q. I understand that the city subscribed something to the Italian Immigration Aid Society?—A. Yes.

Q. How much?—A. Just $200.

Q. That was paid over?—A. Well, I am not sure whether all the money was paid. It was to be paid by $50 every three months. Besides that, I do not know but we subscribed $500 to send back the people.

Q. Did you ascertain what was the effect of this large immigration on the labour market, as to wages?—A. Well, no. As far as the city is concerned, we have a standard scale of wages, and our departments are not allowed to pay less that $1.50 per day for labour. This immigration had no effect on civic labourers.

Q. Did the city employ any of these immigrants?—A. I do not know. I think the city did, as they have since a few years some good Italian citizens in Montreal.

Q. Is $1.50 per day the minimum scale?—A. The minimum scale for labourers, established three years ago.

Q. Of course contractors are not bound by these figures?—A. Well, contractors who contract for the city are bound.

Q. Did you ascertain whether the provincial government had any agents or persons who were inducing Italians to come?—A. I never heard of that.

Q. Nor the Dominion government?—A. I have never heard of it.

Q. Did any of these Italians complain of any one inducing them to come to this country?—A. Not to me personally. I have seen friends connected with Italian immigration, and when started this benevolent association I understood it was to have lodgings for those who arrived destitute, and at the same time they interest themselves in getting work for them.

Mr. Mowat.—This is the letter to Sir Wilrid Laurier of May 31 last of which you spoke :—

(Translation.)

'Montreal, May 31, 1904.

'The Honourable Sir Wilfrid Laurier,
'Premier of Canada,
'Ottawa.

'Sir,—I hope you will pardon me if I take up a moment of your time to call your attention to the large number of indigent Italians who are walking the streets of Montreal since a few weeks.

'Persons in authority inform me that at the present time there are at least 1,200 of these immigrants in the midst of our population, whereof at least 600 are absolutely destitute, the other half having to depend on the kindness of friends and parents for their living.

'It is true that the Italian Society has supported these unfortunates since some time, but I learn this society is now at the end of its resources.

'A sentiment of fear pervades our citizens that these people who have been enticed to Montreal, may commit some excesses, because we have not sufficient employment at present to give them work.

'I have just been informed that over 100 more have arrived this morning, and that the Canadian Government agents in the ports of Boston, Halifax and St. John allow them entry into the country with too great facility.

'We are of the opinion that a serious investigation should be made in order to shoulder the responsibility for such a state of things upon those at fault, and our citizens will esteem it a boon if you will kindly consent to take the initiative in stopping this influx of unemployed and in repatriating those already here.

'It is needless to say that the municipal authorities will heartily concur and will place themselves at your disposal in every way possible.

'Please accept, sir, my best regards.

'The Mayor of Montreal.

H. LAPORTE.

Mr. Cordasco re-called.

By the Commissioner:

Q. You were to make out a statement last night as to the number of men who registered with you this year?—A. My bookkeeper has got it I think.

Q. From the statement that you produce, Mr. Cordasco, there apears to be 63 foremen?—A. Well, yes.

Q. I want you to swear to it?—A. Yes, if in my books ; of course, if one does not know anything about it.

Q. I want you to know something. Well, have these men all paid?—A. Three have not paid.

Q. If all had paid it would be $630. What is this, only $465 you received ; is that correct?—A. I received $10, unless for three men. This would be $600.

Q Did you receive $600 from the foremen?—A I received $10 from each foreman, besides $3

Q Then I see 3,916 men?—A Mr Ganna brought the name of all the men I registered

Q Is that right?—A It is right

Q You received from these $5,656?—A Yes

Q Do you know what rate they paid?—A Some $1 and some $3

Q Do you know how much you received from the Canadian Pacific Railway for these men?—A Not one cent.

Q. For any of them?—A. I supplied all men free to the Canadian Pacific Railway.

Q. How much did you charge the Canadian Pacific Railway ?—A. I did not receive anything. I did not care.

Q. You are not so liberal as all that. You charged five dollars a day when you were sending them out before this arrangement?—A. Yes, if I did a full day's work.

Q. Is that a statement of the charge of $5 during last year, up to the end of December, 1903?—A. Yes.

Q. So you received from the Canadian Pacific Railway $1,456 up to the end of last year. How much this year?—A. Only a few dollars for January, February and March, I cannot say whether it is $400 or more.

Q. Let me see your accounts ?—A. I gave my bill to the Canadian Pacific Railway, probably they have my receipts. You have got all my papers

Q. I have not got all your papers ; I do not want them all?—A. January and February I was most of the time sick.

Q. This year?—A. Yes, I did not work.

Q. This is your receipt for January, $185, is that correct?—A. For January, yes, that is wages.

Q. How much wages?—A. $60 I guess, it is marked on this bill.

Q. On this bill; I do not see $60 salary?—A. It is all there.

Q. $87.50, is that correct?—A. I think it is.

Q. Previous to this $51.49 paid a man named Mosco helping to meet trains?—A. Placed some of them in boarding house and other services.

Q. You paid him $46.50 and they paid for that?—A. Yes, I had an arrangement.

Q. You received a profit of $87.50 for that. You charge there for provisions bought for Chinese going to the coast?—A. Yes.

Q. At whose request did you supply these provisions?—At Mr. Burns' request.

Q. Who supplied these provisons for you?—A. J. C. Spenard.

Q. Of 329 St. James, which is three or four doors from you; they are retail grocers?—A. Yes.

Q. And he supplied all the provisions requested?—A. Yes.

Q. He delivered them to the train?—A. Yes.

Q. Did you forward his account to the Canadian Pacific Railway?—A. No.

Q. Why?—A. I did not consider they had anything to do with the Canadian Pacific Railway.

Q. But you charged the Canadian Pacific Railway certain profits?—A. Not now, before, long ago.

Q. Did you ever have any complaints by Mr. Burns against you for this?—A. No.

Q. Did they inquire into the value of these goods?—A. I don't know if they did it or not.

Q. Not from you?—A. No.

Q. What profit was it you asked and charged for these provisions?—A. Well, according to the rise in bread or beans or other items, I had some profit because I had to have three or four extra men, and had to get men at the station, check baggage and put them safe in the cars. There was some cost, I paid men extra.

Q. Mosco met the trains?—A. My brother Jack and others.

Q. The Canadian Pacific Railway had an agent to inspect?—A. Sometimes they had a man.

Q. Mr. Burns said that they had to see that the provisions were proper, and made Spenard bring them in his wagon?—A. Yes.

Q. So that you had not very much trouble about that?—A. I had to be there myself.

Q. And got $5 a day for being there last year, did you not?—A. Yes.

Q. Mr. Burns ran over the accounts made by Spenard and yours. You charged about 60 per cent, sometimes 62 per cent and sometimes more profit?—A. Probably on the sardines.

Q. The sardines were 150 per cent. Strange how sardines go up?—A. Well, I am not very well posted on the fluctuations of sardines.

Q. You charged about 60 per cent; that is a fair profit?—A. May be, that much.

Q. More?—A. I do not know, Your Honour.

Q. Mr. Burns went through Spenard's accounts against you?—A. He did not say anything.

Q. I don't see the Spenard accounts here?—A. Yes.

Q. Did he know you were making a profit last year?—A. I gave in my bills, so much for bread, so much for beans, &c. They were passed right along. If they found I was wrong they should have said so.

Q. Last year you made over $3,800 out of these provisions?—A. Probably I did.

Q. You got paid by the Canadian Pacific Railway for all these provisions?—A. Yes, but nothing from April.

Q. You have not settled your accounts for April?—A. There was no money paid to me from April.

Q. You charged the same profit since April?—A. Yes.

Q. Why have you not settled since April?—A. I have asked for the same.

Q. More than once?—A. Yes.

Q. And you have not yet settled with the Canadian Pacific Railway?—A. No, sir.

Q. What is the reason?—A. I don't know.

Q. Does not Mr. Burns?—A. Want to see if I have right to charge $1.

Q. You know what the agreement is?—A. There is no agreement.

Q. You charged $41 to the Canadian Pacific Railway for 41 men at $1 per head, that is according to your new agreement?—A. Yes.

Q. How did you come to telegraph to Foley Bros. and Larson?—A. Because I had my own foremen and my own Italian labourers. I went to Mr. Burns and asked where I could place some. He told me, 'I am waiting for orders from the superintendents.' This year, of course, was altogether different from last year; last year we began in March, this year the winter was very hard, and we were waiting for orders for a large number of men.

Q. So you telegraphed all around?—A. Well, I went to Mr. Burns.

Q. Why did you go to Mr. Burns?—A. Because he had to have first chance.

Q. That had nothing to do with Foley Bros. and Larson?—A. He is better posted than I am.

Q. Was he desirous that you should give Foley Bros. and Larson a chance?—A. Yes.

Q. And he paid for your telegram?—A. I don't think so.

Q. Why?—A. I cannot tell.

Q. He was interested in your sending these men out?—A. I cannot say, Your Honour. I was ready myself to pay.

Q. You were, but you did not?—A. He said he would stand for the telegram; I said all right.

Q. Had he any interest in getting these men to pay for going out?—A. Not a cent.

Q. Now, did you state in your office between November and April that you wanted 10,000 men?—A. Not direct. People asked me how is work going to be, and I may have stated there will be a lot of work.

Q. Did you say that you wanted 10,000 men?—A. Not direct, I might mention.

Q. Did you say that?—A. I may.

Q. Did you or did you not?—A. Probably I did.

Q. Did you. I want to know whether you did or not?—A. I do not remember.

Q. Did you or did you not?—A. If I say——

Q. Will you say yes or no?—A. I say yes.

Q. Did you?—A. Probably I did.

Q. You cannot get rid of the probably?—A. You see, one day in conversation I may have said.

Q. Did you?—A. I do not remember.

Q. When did you begin to say you wanted 10,000?—A. I did not say it direct.

Q. What did you say?—A. I said next year probably there will be considerable work.

Q. You know what you said?—A. I may have said that about 10,000 will be wanted for work between November of last year and April of this year. I don't know; probably I said that.

Q. That you wanted 10,000 men?—A. That there would be work for that number. I did not say I wanted them myself.

Q. You did not want anybody for yourself; you wanted them for the Canadian Pacific Railway?—A. I may have said next year there will be work for probably 10,000 men.

Q. Did you state to Mr. Stabile that you wanted 10,000 men?—A. I did not see him personally.

Q. Not this year? Was he not in Montreal?—A. I saw his clerk here.

Q. When?—A. Two or three months ago.

Q. When did you first see him this year?—A. I am not sure; March or April.

Q. And before that when did you see Stabile?—A. I did not see Stabile last year.

Q. Did you see his clerk?—A. Yes.

Q. Did you tell him you wanted 10,000 men?—A. I do not remember.

Q. What are you beating about the bush for; answer straight. You know what I am asking you, and if I have got to stay here a month I will get an answer. Did you tell him you wanted 10,000 this year?—A. Never in my life.

Q. Be careful; did you or did you not?—A. I don't remember ever telling him that.

Q. Well, I want to refresh your memory. Do you remember Mr. Aiello?—A. Yes.

Q. When was he here?—A. I think in April.

Q. He is your agent in New York?—A. Yes, when I want men.

Q. Did you tell him you wanted 10,000 men?—A. I don't remember.

Q. That is as far as you can go; you may have said it?—A. If ever I told him I do not remember. I said there will be a lot of work; we will want a lot of men.

Q. Look out for a lot of men?—A. I don't remember.

Q. What did you tell him?—A. Nothing at all. When I will want men I will let him know.

Q. You told him you might require a large number. How many would you want? Did you mention 10,000?—A. I said a lot of men.

Q. What number did you say, 10,000?—A. I do not remember.

Q. Wont you go further?—A. I cannot say now.

Q. Is it possible that you may have said that?—A. Possibly, but I do not remember at all.

Q. Would you contradict a witness that would say you did?—A. Well, I would contradict him, because I never said that.

Q. Did you not tell him you would want 10,000 in the spring?—A. No.

Q. Will you contradict a witness who heard you say it?—A. I will tell what I know.

Q. And Stabile; did you ever tell him you wanted 10,000 men?—A. I do not remember.

Q. Has your counsel, your lawyer, told you to say, I don't remember when you are——A. Yes, sir.

Q. You ought to be very careful. I do not want anything but the truth. I do not want to have trouble with you?—A. My God, I am telling nothing but the truth.

Q. Your lawyer told you not to remember when you were asked some unpleasant questions?—A. Yes, sir.

Q. How many agents have you over in the United States besides Stabile and Aiello?—A. No agents at all.

Q. How many did you send over?—A. Send over?

Q. To the States last year?—A. May be four, five or six.

Q. Five or six?—A. Yes.

Q. To drum up Italians?—A. Yes.

Q. You know Mr. Marcucci?—A. I never saw him.

Q. Don't you know him?—A. No.

Q. When did Mr. Marcucci go over to Italy?—A. Marcucci? I don't know anything about him.

Q. Just think before you answer?—A. I don't know.

Q. I think you are wrong?—A. I don't know Marcucci.

Q. He was sent over from Canada to bring men out to this country?—A. I never sent him there.

Q. Did you ever hear of that before?—A. I never heard of this man went from Canada to Italy for men.

Q. You know Boconcelli?—A. Yes.

Q. Was Marcucci only employed?—A. I have heard him mentioned, but I do not know this man.

Q. We will find it out by degrees, by bringing both together we may get you to remember?—A. Perhaps.

Q. Then Marcucci did go from Canada?—A. I do not know, I think Boconcelli sent him.

Q. What did he send Marcucci for?—A. I don't know.

Q. Just think again, because we have to get it?—A. I do not remember.

Q. How many tickets did Boconcelli get from you to bring men out?—A. About 13 or 14 men, the books show it. (To Ganna). How many Ganna?

Q. Never mind Ganna. You were blaming him all day yesterday?—A. He is responsible, he is my foreman.

Q. How much did Boconcelli pay for the tickets?—A. $36.65 from Naples to Montreal.

Q. What did he pay?—A. How much he paid who?

Q. Boconcelli?—A. He paid $36.65.

Q. To bring them to Montreal?—A. $30 from Naples to New York; $6.65 from New York to Montreal.

Q. Did he buy tickets direct from Naples to Montreal?—A. Yes.

Q. Now what is your profit on each ticket that you sell?—A. In this company, I think $7.

Q. For the $30 ticket?—A. Well, I don't know two tickets or one.

Q. Look at your account for every $30 ticket you get $7?—A. I can give you an answer.

Q. Look at the $30 ticket and tell me what commission you made?—A. $7 commission on a whole ticket.

Q. How many tickets have you issued?—A. 14 tickets to Boconcelli.

Q. But you sold a great many to others than Boconcelli?—A. He cabled me.

Q. Who directed him to do all that work, you?—A. Yes.

Q. You instructed him?—A. For this work, yes.

Q. Then on a $30 ticket you got $7?—A. Yes, with this company.

Q. Boconcelli was a great friend of yours?—A. No friend of mine, no relation.

Q. Never mind the relations, you lent him money?—A. Yes.

Q. How much?—A. About $380.

Q. So he was a friend of yours?—A. I knew the man, he was no friend.

Q. Now you sent Marcucci over to Italy for these tickets?—A. I know nothing about that. I heard he sent him.

Q. Heard of it after he bought the tickets. Marcucci came back again?—A. I never heard of it.

Q. You heard about it?—A. Boconcelli told me, that's all I know.

Q. How much did he charge these men?—A. I do not know.

Q. You heard?—A. I did not.

Q. What is the use of saying that, you told me you did, they charged those unfortunate men $60 for every $30 ticket sold. Boconcelli said it?—A. He probably did, I do not know whether he got $60, $65 or $70.

Q. You are swearing to it. How much did he charge these men?—A. I think Boconcelli he said he was going to charge $60.

Q. Now you have given money to Boconcelli, gave him $100, took a $125 note for it on demand?—A. That is all business. He asked me $100, $20.

Q. You sent him out as foreman?—A. I did that.

Q. One of the first men?—A. On July 16.

Q. He brought those Italians with him?—A. I don't know, I gave him $35.

Q. He gave you a list of his men?—A. Yes.

Q. How was Boconcelli to get this $60 from these men?—A. I don't know.

Q. Yes, you talked the matter over with him, you were to get money from him?—A. I lent him money to accommodate.

Q. It was to come out of his wages?—A. Yes, whenever he got them.

Q. That was understood?—A. Yes.

Q. These men were to pay their money out of their wages?—A. I had nothing to do with him.

Q. You loaned Boconcelli the money because he brought men out, sold tickets and got it out of their awges?—A. I only loaned him money.

Q. Is that correct?—A. No, every man he brought out for him.

Q. You know that he was getting plenty of money, because he was getting it out of these men?—A. I don't know.

Q. But you told me that?—A. My God, I never said that; I loaned money to Boconcelli, he needed money to settle; I don't remember stating.

Q. Please answer direct?—A. Well, I gave you——

Q. Don't say any more than what is necessary. Mr. Boconcelli got money?—A. $380.

Q. The first note you took was for $125, you paid $100?—A. Probably.

Q. The second note was for $65, how much did you pay him?—A. I don't remember.

Q. The third note was for $190; how much did you pay him, $140?—A. Probably.

Q. These moneys, you said, were to be recouped as soon as he got his wages from the Canadian Pacific Railway?—A. Whenever he earns it.

Q. He was also to receive money from these men brought out from Italy?—A. I don't know. He told me that they owed him an amount of money.

Q. And he was to get their wages to pay it?—A. I don't know.

Q. He told you?—A. He was looking to the men to pay the money.

Q. Because he was to get their wages, every man of them, was not that the case? He was to get their wages?—A. That is what he said.

Q. Now, Adolph Milo, how much money did you lend him?—A. I think $400, something like that; I gave you a copy of the notes.

Q. Some small discount of 25 per cent?—A. Oh, yes, Your Honour.

Q. And there were several others you sent out as foremen; Del Vecchio $107; he owed you $107. In order to get a good position they had to owe you money. They had to come to you?—A. I am not obliged to lend money to anybody.

Q. These men borrowed money from you and went away?—A. When I find honest men I lend them money.

Q. I have no idea that you would lend it to anybody other than an honest man?—A. Nobody else.

Q. Gaillardi $70?—A. He is out.

Q. Anybody else?—A. I have no recollection.

Q. Memme?—A. Not a cent.

Q. Endorsed a note for you?—A. For Boconcelli.

Q. He is out too?—A. Yes.

Q. Any one else?—A. I don't remember. If you have them it is all right; I gave you my notes, you have them in your pocket.

Q. No, I have not. Anybody else gave you notes for the purpose of getting money and got it—Mighella?—A. He did not get it because his turn has not arrived. He got $40, $20 cash; yes, I gave him cash.

Q. You heard what he stated?—A. I do not care what he says.

Q. Has he gone out yet?—A. No, because of his law suit against me.

Q. That is the reason why there is trouble about the $40?—A. He is trying to get the whole amount.

Q. Did you ever get orders on the Canadian Pacific Railway for wages?—A. None for any man.

Q. Do you ever collect wages from the Canadian Pacific Railway for the men?—A. I do not remember.

Q. Will you swear that you do not?—A. I do not know.

Q. That is what you swear to; be careful, because I have writing to this effect?—A. I do not remember.

Q. You have collected money for the men from the Canadian Pacific Railway?—A. I never collected a cent from the Canadian Pacific Railway.

Q. You never got an order from the men to get wages?—A. Not that I remember, but if you say so——

Q. You swear that you did not?—A. Yes, that is all I remember.

Q. You say, then, you have not under any circumstances collected money from the Canadian Pacific Railway for wages for the men?—A. Not for wages.

Q. Now, besides these foremen that you have mentioned, what others have you sent out?—A. (Ganna, give me the book.) I sent out on April 14 Vincenzo Cordasco, my brother; on April 23, Geo. Di Patrick; on May 13, I sent G. Aceto. I lent this man money.

Q. Where did he come from?—A. Montreal.

Q. Lives in Montreal?—A. Has got a wife here. Then I sent out on May 19 some men without a foreman. On June 2 I sent J. Campolongo; on June 3 I sent Emiliano Del Vecchio.

Q. How much did you pay him?—A. I did not give him a cent. On June 21 I sent L. Banchiro; I did not lend him anything. On June 23 I sent N. Maiorano, without giving him any money. June 29 V. Gagliardi. He went away and never paid me a cent. I lent him money because he had none.

Q. He got some money?—A. I gave him money and have not got any from him.

Q. How much did you lend him?—A. $70 altogether.

Q. What is the amount of his note?—A. I think his note is $70.

Q. You paid him?—A. I gave him $2 or $3 at a time; all cash.

Q. Did you charge him 25 per cent?—A. No, sir. On July 3, I sent Adolph Milo, and on July 5 Antonio Memme and some men without a foreman, seven on same day without interpreter, on July 8 without foreman and on July 10 men without foreman.

Q. Is that your signature, Mr. Cordasco?—A. Yes.

Q. What did you sign there for?—A. Some cheques, I think, some tickets; I believe it is to get a refund of money.

Q. Did you get that money for them?—A. I gave it to the men.

Q. That is a receipt from you dated December 10 to Mr. G. E. Burns for five time checks. So you did collect checks?—A. It must have been so.

Q. Checks, not tickets?—A. Probably I did. You can bring anything. I will admit that.

Q. You have to do it?—A. If I cannot remember I cannot say otherwise.

Q. Now, there are several checks besides those you received?—A. I do not remember.

Q. Do you not recollect getting money for the men?—A. I do not. Sometimes Mr. Skinner, sometimes Mr. Burns, gave me checks; they would forward me a check or two.

Q. I have some letters showing you liked to ask for money for the men?—A. I only put in a claim.

Q. You remember writing to them for money for wages?—A. Yes.

Q. And they paid you?—A. Sometimes I got check.

Q. For wages that these men were claiming as foremen?—A. Yes.

Q. Now, you made it appear there would be a large number of Italians wanted in connection with the Canadian Pacific Railway when you wrote these letters to the States I read yesterday?—A. I never authorized my book-keeper to say that I needed 10,000.

Q. Do you think you mentioned that so that he would understand what he was writing about?—A. No, sir. I just said I understood a lot of men, but no such number as 10,000.

Q. You got Mr. Ganna to do that?—A. Mr. Ganna did that by himself.

Q. You got Mr. Ganna to write these letters?—A. Not every one.

Q. Did you get Mr. Ganna to write them?—A. I got him to do my work.

Q. You instructed him to do that?—A. To write letters?

Q. Telling him what to put in letter?—A. Yes.

Q. You think he has put anything else in letters?—A. He did it.

Q. How can you prove he did it?—A. Because I know I never instructed that man for 10,000.

Q. You wrote yourself to Mr. Ludwig that you wanted many hundreds?—A. Last year.

Q. Not last year; last fall for this season of 1904. Hundreds of men wanted; you wrote that yourself?—A. Yes, it may be right.

Q. And you mentioned 10,000 to Mr. Aiello?—A. I don't think so.

Q. And Stabile. Did you mention to any of the Italians in your office that you wanted 10,000 men?—A. In conversation I may have said many would be wanted.

Q. Did you ever mention to the men that you wanted 10,000 men for the Canadian Pacific Railway this year?—A. No, sir. I never mentioned 10,000 to any one.

Q. You swear that positively?—A. Yes.

Q. All these ten letters are mythical—never came from you at all?—A. The letters came from these people, and I never answered them. They were told not to come to Canada unless I sent for them. In any case to send the $1 and $10 for foremen, the foremen to have 50 men.

Q. Now, as to that statement you put in this morning. How many of these men paid $4 to you?—A. I don't remember.

Q. Look at your statement and see?—A. That is Ganna's.

Q. Never mind Ganna. He carries out your instructions does he not?—A. In some ways.

Q. He carries out your instructions?—A. Everything, unless the 10,000.

Q. How many paid?—A. There were registered 110 from New York. These gentlemen came to me and said I want to be registered. I said we cannot register any more, my books are full. They said never mind, we will wait our turn no matter. They came and paid me $3 each man.

Q. Possibly $1 already paid?—A. Yes.

Q. That made $4?—A. Yes.

Q. How many men?—A. About 110.

Q. $440?—A. No, no, your honour.

Q. I asked you how many men paid $4, and you said 110?—A. The number registered was about 91.

Q. How many paid $3?—A. About 200, perhaps more.

Q. I want to find out the true number?—A. I did not make the statement out.

Q. Mr. Ganna says here, Mr. Cordasco, that in November you registered 153, December 453, January 527, February 614, March 1,211, April 353, May 244, June 27, July 9; total 3,916. I will have to go over this statement, he knows of these. Have you not registered more than 9 in July?—A. I do not know.

Q. You got money also from men who paid at your house. Are their names in this?—A. Not unless they came to register.

Q. You got money from the men?—A. I did and I passed a paper to them.

Q. Will you show me that entry of men since the 1st July?—A. You have got that book in which that entry is.

Q. Do you not remember what money you received?—A. I do not know, Mr. Ganna has the book.

Q. Where is the book you made that entry in?—A. I have not got it, Mr. Ganna has.

Q. I want these small books?—A. You know some are entered here, some there. If they are entered in the book you can find them.

Q. You advertise in the *Corriere del Canada*?—A. Yes. they have one of my advertisements calling for men.

Q. Two or three advertisements in that paper?—A. Yes.

Q. How long have you been advertising in that paper?—A. Since about November.

Q. How long have you been advertising in this paper?—A. All the time since I gave money.

Q. You own it?—A. I do not.

Q. Do you not own the greater portion?—A. I paid up some money.

Q. Do you not own the greater portion of that paper?—A. Yes.

Q. And you object to be called proprietor?—A. Yes.

Q. You got paid for the advertising in that paper?—A. Yes, most of the people had to pay.

Q. You got that money?—A. Yes.

Q. You sent this paper to the men and the foremen?—A. I sent the paper to any men giving their advertisements.

Q. Will you give me a list of these men you sent it to?—A. Antonio Ganna has got the list. Let him show the list.

Q. There you go again, all on the shoulders of poor Mr. Ganna. How many did you send to Italy?—A. I do not know how many. Not many, except to my native town.

Q. What is the name of your town?—A. San Donato.

Q. How many did you send to your town?—A. About 25 or 30.

Q. A hundred?—A. Never.

Q. How long have you been sending them to your town?—A. Since I got a share in this paper.

Q. Since when?—A. Since November last year, 1903.

Q. The first you had anything to do with it?—A. Some time in November.

Q. How many did you send to other parts of Italy besides your own town?—A. I cannot say, Your Honour.

Q. About how many?—A. I don't know.

Q. How many did you get printed?—A. Sometimes 450.

Q. Did you send half to Italy?—A. Well, not quite, I suppose.

Q. About half?—A. 60.

Q. More than 60 to your own little village?—A. In my village I have many relatives.

Q. How many other villages did you send to?—A. 60 altogether besides my town.

Q. And you sent them every week?—A. Weekly, yes.

Q. You got people to write articles in this paper for you?—A. Yes to write articles sometimes.

Q. Scarrone wrote articles for you?—A. Yes.

Q. You asked him to do so?—A. No, sir, never.

Q. Never?—A. No, sir. Nobile wrote to this man.

Q. You suggested that he should use your name in connection with Canadian Pacific Railway work?—A. I do not know.

Q. You remember his writing an article for you?—A. Yes, I did not ask him to do it.

Q. The *Corriere del Canada* has a long labour article?—A. The paper has to be filled with something.

Q. What is the date of that (showing him paper) ?—A. February 27, 1904.

Q. 'Italian labourers,' that is the heading. It reads :

'The working season is approaching under a very promising aspect. The principal companies have in the past few winter months estimated for a large amount of work, and will give employment to a more considerable number of men than in other years. The greatest and most sincere friend of the Italian labourers, Mr. Antonio Cordasco, of Montreal, the sole Italian agent for the most important railway company in the world, the Canadian Pacific Railway, proposes himself to give, in the coming season, work to as many labourers as may apply to him. What he proposes to do himself cannot but be realized owing to the enormous amount of work the Canadian Pacific Railway will do this year.

'This company, which, both for the extension of its lines and for its capital, is the first among railway companies, and it is considered also as the most important proprietor of land, owning 14,000,000 acres. It has always employed a larger number of labourers than any other company and with higher wages. Mr. Cordasco, the sole agent of the company, never betrayed the confidence that was put in him, not only fulfilling his duty as an agent, but assisting and protecting Italian labourers, and the good reputation he enjoys among the different companies and contractors is the best guarantee for the labourers employed through him.

'But the most splendid proof of that has been given by two thousand labourers, who in orderly parade, demonstrated a few days ago in Montreal that they did not forget what was done for them, and even if there were no other proof, this would be sufficient to show the philanthropic work of Antonio Cordasco.

'The spontaneous demonstration by two thousand men in a town where Italians are not counted by hundreds of thousands, was most flattering for the person honoured, and we cordially congratulate Mr. Antonio Cordasco.

'What we say is not flattery, for we very well know that Mr. Cordasco, as a business man, does not care for that. It is only to sympathise with him for what he does for the Italian labourers who come here ready to fight against any kind of adversity, and who find in Cordasco a father, a friend, who not only helps and protects them, but puts them in a position to provide for their families and their aged parents.

But as if all that was not enough, he has instituted a solid bank, through which anybody can send money to any part of Italy within a few days.

'We trust that the benevolent action of A. Cordasco will last for years and years, for the welfare of our labourers, and we cannot help to let his name be known to everybody, so that our compatriots will know when landing here that they will find a friend waiting for them.'

—A. I never ordered that.

Q. Be careful?—A. I never ordered this man to put in one line of that kind.

Q. I want you to be careful. If you are going too far I am going to stop you.—A. You can get this man here; I never ordered this.

Q. Turn up the letter to Mr. Scarrone?—A. I never ordered him to send such an article.

Q. You read it in the paper?—A. Yes, when it came here.

Q. I suppose you approved of that article?—A. I laughed about it, that's all.

Q. Did he not send that article to you to be printed?—A. He sent it to be printed.

Q. And you saw it before it was printed?—A. Yes.

Q. You had it printed?—A. Yes.

Q. You sent that paper all over Italy?—A. Sixty in Italy besides my town.

Q. You wrote him on February 9?—A. That was the very day when I was in bed.

Q. You say:

'MONTREAL, February 9,1904.

'Sig. L. P. SCARRONE,
55 Edward street, Toronto, Ont.

'I have received yours of the 7th inst., and I thank you very much for the kind words you wrote in your correspondence, of which I am proud. But I am sorry that I cannot publish this correspondence, as I do not wish the readers to know that I am the capitalist and administrator of the *Corriere del Canada*.

'If I should place this before the readers they will say that I sing my own praises, or that I order others to praise me; so you can (and I thank you for that) send articles on the work and solidity of the Canadian Pacific Railway, but do not tell the readers that I belong to this newspaper.

'You may say this privately to your advertisers and subscribers. I like the principle of your correspondence, which is well written, but you understand that it is no use to let the people know that I have a share in the newspaper for the above reason.

'If you send for Monday a good article on the work of the Canadian Pacific Railway, I shall publish it with the greatest of pleasure. I take the opportunity to thank you for the kind reception you gave to my traveller, Mr. Ianuzzi.

'Please tell me if you received the newspapers. I will be glad if you will confirm that you accept to represent the *Corriere del Canada* on the condition proposed.

'Please send me your cut, for I wish to introduce you to the readers by publishing it.

'Wishing you good business and hoping to receive on Monday an article to publish as correspondence from Toronto.

'Yours truly,

'ANTONIO CORDASCO.'

Q. You also wrote over to New York and got articles written there for you, did you not?—A. Yes.

Q. Who was the agent you wrote to in New York?—A. Mr. Aiello, or if in Italian, to be transplanted, and there is another fellow there, Loperari.

Q. Then you sent to New York to have the articles printed specially?—A. Yes, Your Honour. This was for these people who bring people from Italy. I sent the copy to all the business people of Canada.

Q. Is this the supplement you directed to be printed in New York?—A. Yes, sir.

Q. You sent to New York to have this done?—A. Yes, sir.

Q. You are censuring the Italian Immigration Aid Society pretty bad here?—A. Well, whatever Ganna put on I sent to New York.

Q. You read it before it went?—A. I read it once.

Q. You knew what was being put in?—A. Yes.

Q. What did you do with this supplement? Did you send it to Italy?—A. I cannot say if Ganna sent it.

Q. You had it printed in Italian?—A. Yes.

Q. Published as a supplement of the *Correre del Canada*?—A. Yes.

Q. Forwarded to your subscribers?—A. Yes.

Q. And to Italy as well?—A. Not to Italy.

Q. This is the only copy of it?—A. Yes.

Q. Why did you do that do you know, was the Immigration Aid Society interfering with you?—A. Yes, everybody is interfering every day, ever since I began, two or three a day. Everybody has an eye on my business.

Q. Who wrote this for you?—A. Ganna sent a copy of this to Mr. Aiello, New York. He made this.

Q. And translated it into English for you?—A. Yes.

Q. Printed in New York or Montreal?—A. In New York.

Q. In Italian?—A. Did not want to send a copy there.

Q. You printed it in Italian in Montreal?—A. Yes.

Q. That is where it arose?—A. Yes.

Q. I will not read it; it is too long and too severe in its language. Those who want a copy can get it now?—A. I do not think there are any left now.

Q. How many copies did you have printed?—A. 200.

Q. You were to produce some of these accounts to-day; have you done so?—A. There is one left, and I gave it to Ganna. It is produced here, Your Honour.

Q. I see two or three before the first?—A. Any one you desire you can have it. I think that is all you asked for March 17. I do not know whether there are any more.

Q. Will you get the one for 1903?—A. Well, I will ask for it.

Q. You advertised in '*La Patria Italiana*'?—A. Yes, about a month or two ago; a couple of months ago.

Q. Did you put in advertisements for some time?—A. Yes.

Q. Some friends put one in?—A. Yes.

Q. When was that?—A. In the fall.

Q. Was that the one about the 10,000 men?—A. Yes, I remember he put in an advertisement asking for men.

Q. How many?—A. I do not know whether 1,000, 2,000 or 3,000.

Q. Go a little higher?—A. I do not remember.

Q. Who paid for this advertisement?—A. The Canadian Pacific Railway.

Q. Are you paying for these advertisements at all?—A. Every one at present.

Q. Yes?—A. Yes.

Q. Who pays for the advertsements in the *Corriere del Canada*?—A. I do not pay anything.

Q. You run it yourself?—A. They put them in the paper without charging me anything.

Q. You still have that paper for advertising?—A. Yes.

Q. Scarroni gets advertisements in Toronto?—A. He was to.

Q. And pay you the money?—A. I never got a cent.

Q. He took it out in writing articles for you?—A. He sent some articles.

Q. Wrote the articles and kept the money?—A. I never told him.

Q. That is the way?—A. I don't know.

Q. He never sent any money?—A. He may have sent cheque.

Q. There was an arrangement with Scarroni?—A. No arrangement at all.

Q. He was to get advertisements?—A. He promised that he would.

Q. He never did?—A. I never saw any.

Q. No Italian advertisements?—A. I do not know.

Q. You read the paper?—A. He did not pay for it.

Q. And you pay him for the articles?—A. I never got a cent.

Q. He gets money for his work?—A. Yes.

Q. People do not write for papers for nothing?—A. I don't know.

Q. People do not write without getting paid for it?—A. I should say not.

Q. Now, you had a good time in February and in April?—A. I had a very good time in bed with rheumatism, and people got together and said Cordasco our father to-day.

Q. They wanted to get up a presentation; who got it up?—A. I never knew who did it.

Q. Who got it up?—A. I heard it was the Italian foremen.

Q. Foremen on the Canadian Pacific Railway?—A. Yes, sir.

Q. When was that presentation to you?—A. In the month of January.

Q. How many people were in the party?—A. I did not count; may have been 2,000 or 3,000.

Q. You read over a list to your friends?—A. Probably I did.

Q. Now, what did they do with it?—A. Well, I don't know. They took it away for signature, because I had been sick, but I got up.

Q. You got up to get your crown?—A. Yes.

Q. That is right?—A. Yes.

Q. You keep it in a glass case?—A. That is right.

Q. Who presented it to you?—A. Two Italian foremen.

Q. Which?—A. Mollo and Pellegrino.

Q. Pellegrino wanted to come here, I told him to come but he says he is afraid of you?—A. No danger, Your Honour.

Q. Well, now you printed all about that in your paper?—A. I did not do it myself, other people did.

Q. You got other people to do it?—A. May have

Q. You arranged that these foremen should have their pictures put in a supplement?—A. Ganna suggested that.

Q. Ganna again, he has enough to answer for without this last straw. You had the supplement printed, how many foremen's pictures were on it?—A. I do not remember, I think about 21 or 22.

Q. Well, who is the centre figure?—A. I suppose it is Cordasco.

Q. Well, look there?—A. That is myself, sure.

Q. Cordasco, the acclaimed king of the workingmen?—A. That is what is stated.

Q. Where is your crown there?—A. I suppose it is on the back.

Q. The crown with the bouquet of flowers, where is the bouquet?—A. I did not ask.

Q. No room for the basket?—A. No room for the basket.

Q. This is yourself on the other side, there you are again in your royal robes?—A. Yes.

Q. What is that under your picture?—A. 'Mr. Cordasco, proclaimed king of the workers.'

Q. Whose names are all these?—A. I suppose some of the men who were there.

Q. How many?—A. I don't know how many.

Q. How many copies of this did you run off?—A. 400.

Q Where did you send them to?—A. I did not send them, I was sick at the time.

Q. How many were sent off?—A. About 100 in the office.

Q. How many went to Italy?—A. Not one.

Q. Sure?—A. I cannot say. Why is Ganna not here?

Q. Ganna is not concerned?—A. Ganna got four.

Q. These are all foremen on the first page?—A. Yes, Your Honour.

Q. Did you send one of these with each of your weekly papers to Italy?—A. I do not remember, I was in bed, I did not send any.

Q. You did not send some of these to your little village?—A. I may have done it, I was very sick, troubled with rheumatism.

Q. That was in your foot?—A. Yes, very bad, Your Honour.

Q. When was this advertisement in 'La Patria Italiana' calling for 10,000 men published?—A. I did not put in 10,000.

Q. You did not state that the C.P.R. wanted that number?—A. No, 2,000 or 3,000.

Q. What time was it?—A. I do not know, August or September.

Q. You remember Dini's advertisement in 'La Patria Italiana?'—A. I remember that.

Q. There were two advertisements?—A. Whatever you say.

Q. Calling for a lot of labour, had lot of work, etc. Is that one, you can tell?—A. There are three here, Your Honour.

Q. What was about the number?—A. Mr. Dini stated he wanted 10,000 for next spring, he must have Italian labourers, he was representing some important construction companies.

Q. Do you remember this. (Showing him paper) ?—A. Yes, I do remember that was done, my bookkeeper told me he would write that for me.

Q. This is how it reads :—

'IMPORTANT NOTICE.'

'*To the army of the pick and shovel :*

'Italian labourers, bosses and under bosses do not show a double face (do not be false) but only one (be true) have a soldier's courage. Apply to the elegant and solid Italian Bank of Antonio Cordasco if you do not want to weep over your misfortunes in the spring when the shipments of men will begin.

'Do not believe that with your dollar or dollars you will be able to get work like your comrades who have been faithful. No, we will inspect our books and money orders and our passage ticket books, and those who will not have their names entered in them in their despair tear out their hair and will call Mr. Cordasco, lordship, Don Antonio (Don before anybody's name is a special mark of respect), let me go to work. No, never, will be answered to them, go to those through whom you sent your money away and so on.

'A forewarned is a forearmed man.

'By order.'

Q. A forewarned man can be saved by your agency?—A. Yes, that is it.

Q. Who ordered that?—A. Ganna did it; he is the one to answer to it. He showed that to me, and I said to go ahead.

Q. You can read that?—A. In Italian.

Q. You knew of that?—A. Yes.

Q. You had that in your paper?—A. Yes.

Q. On February 20 last?—A. He came to see me last February.

Q. That was put in your paper on February 20 last?—A. Yes.

Q. You do not allow everything in your paper?—A. No.

Q. And you do not let everything go in your paper if not in your writing? And this is your writing?—A. I think so.

Q. Now, here is another advertisement. Is that your advertisement?—A. I think that was in '*La Patria Italina.*'

Q. I will read it for you :—

'Tel. Main 2720.

'A. CORDASCO

'*Sole Italian Agent of the Canadian Pacific Railway Company and other Companies,*
'*375 St. James Street, Montreal.*

'NOTICE.

'If you want to work on railways, canals, water works and other kinds of work of long duration and guaranteed—payment sure—at the price of $1.25 and $2.

'If you want to be respected and protected either on the work or in case of accident or other annoyance, which may be easily met,

'Apply personally, or address letters or telegrams to

'ANTONIO CORDASCO,
'441 St. James St., Montreal.

'Sole agent, who may find with every security and guaranteed employment for labourers and foremen who know how to do their duty. He is fully trusted by all the greatest companies and contractors, who continually request his services.

'Whoever has claims against any company, Mr. Cordasco is the only man who can succeed to have the said claims settled promptly and profitably.'

Q. When was that published?—A. A year ago.

Q. Who paid for that advertisement?—A. Cordasco paid.

Q. Which advertisement did the Canadian Pacific Railway pay for?—A. I do not know; just paid for one advertisement for some time.

Q. Which one was that?—A. That was last year, when short of men.

Q. Now, there were some ten men that came across from Italy in the spring who signed a declaration that they were given your cards by an agent in Italy. Do you remember that?—A. I do not know anything about that.

Q. You heard about it?—A. I did not hear it.

Q. Ten Italians?—A. I did not hear it. Read the declaration. I have not read it yet.

Q. Probably not. Your Mr. Ganna states he wrote one?—A. Did he?

Q. Yes; the cards were handed to them before getting on the boat?—A. I do not remember quite what was said. I do not know who signed it, nor do I know where they got the card.

Q. Do you know the Donor Immigration Company? They had an office here; there were two brothers named Schenker?—A. Yes.

Q. Are they in Montreal now?—A. I have not seen them for some time.

Q. How long ago?—A. I did not meet any of them for two months probably.

Q. Were they conducting business this spring?—A. I do not personally know.

Q. Did you hear they were?—A. I did not hear anything.

Q. They have left the city?—A. I cannot say, Your Honour. They may be here or away; I do not know.

Q. What kind of a business did they conduct?—A. They came and began business, but did not remain long.

Q. How long ago was that?—A. Some years ago.

Q. Have they gone out of business?—A. I think they are stopped altogether.

Q. Had to give up business?—A. Yes.

Q. Why?—A. They opened a nice bank, but did not continue.

Q. They were committing frauds on people?—A. I do not know.

Q. What reason?—A. I have no reason to give.

Q. Don't you think that was the reason; it was pretty well known?—A. I don't know.

Q. You know what others are doing?—A. I do not know why they gave up.

Q. You will find out and let me know this afternoon. You can come back at 2.30.

Mr. BURNS re-examined.

By the Commissioner:

Q. Do you remember whether Cordasco received moneys for labourers at any time from the Canadian Pacific Railway?—A. Yes.

Q. From time to time?—A. Yes, for labourers he had engaged during 1901.

Q. Has he lately?—A. Not since 1902.

Q. Do you know whether he has or not?—A. From the Canadian Pacific Railway?

Q. Yes.—A. He has received none whatever.

Q. Can you tell the amount?—A. Yes.

Q. How are moneys paid?—A. By cash or cheque. Through these vouchers. A large amount by cheque, a small amount by cash.

Q. You do not deal with moneys at all?—A. No, sir.

Q. Do you receive any moneys yourself from the Canadian Pacific Railway?—A. I do.

Q. For what purpose?—A. I have received money from the Canadian Pacific Railway for secret work.

Q. What do you do with the money?—A. I give account of it.

Q. You deposit it?—A. I do not, I draw only sums I require.

Q. You do not deposit with any bank?—A. I have a small bank account.

Q. How many banks do you deposit in?—A. One, the Sovereign Bank.

Q. For how long?—A. Well, I have only opened one account about a month ago, but the other account was in the name of my wife for domestic purposes.

Q. How long ago?—A. First date a year ago.

Q. You make deposits?—A. She makes deposits.

Q. You give her the money?—A. Yes, sir.

Q. Besides the money for secret purposes, do you receive any money?—A. I have my salary.

Q. Paid by cheque?—A. Yes.

Q. Altogether?—A. Yes.

Q. No other moneys?—A. Well, I have my regular expense account.

Q. That is paid by cheque?—A. Yes, as a rule.

Q. Any other moneys?—A. No, that is all.

Q. These are deposited in your bank account?—A. No.

Q. The cheques are not?—A. The reason I opened a bank account was to keep track.

Q. Formerly they were deposited to your wife's bank account?—A. Not through her account, her account contains money necessary for our domestic arrangements.

Q. Will you kindly bring your bank accounts this afternoon if you can get them?—A. All right.

Mr. Honore Gervais, M.P., being sworn.

By the Commissioner :

Q. We thought possibly you would have been able to come on Thursday morning?—A. Well, I was detained in Ottawa attending to my parliamentary duties, but as soon as possible I came back to Montreal. I just reached here this morning by five o'clock train, and I was notified that you wished to examine me in connection with this Italian labour inquiry.

By Mr. Mowat :

Q. You are a member of the Dominion House of Commons, Mr. Gervais?—A.—Yes, sir.

Q. Representing one of the divisions in Montreal?—A. M.P., representing the Division of St. James, of Montreal.

Q. Did it come to your notice that there was a large influx of Italian labourers in May last?—A. Yes, sir; this was brought to my attention by some people who were interesting themselves for the Italian labourers.

Q. Some prominent Italians?—A. Mr. Catelli, a large manufacturer of Montreal.

Q. He is a son of the former Consul General?—A. Yes, Chevalier Catelli.

Q. Did you feel that the situation was an embarrassing one?—A. It was very very embarrassing, both for the poor labourers who had been brought here as well as for the labourers of Montreal.

Q. From the public standpoint?—A. Yes.

Q. Did you take any steps to have the matter remedied?—A. As soon as the matter was brought to my attention by Mr. Catelli, my personal observations and the newspaper articles, I went to Ottawa and I spoke about this influx of Italian labourers coming without a moment's notice to our shores. I had some interviews with the Right Hon. Sir Wilfrid Laurier, Sir William Mulock, Mr. Sifton and Mr. Smart, the Deputy Minister of the Interior, and asked these gentlemen if something could not be done to help us along. Well, there was no money at the disposal of the government at the time to help these labourers.

Q. No money for such a purpose?—A. It had not been voted by parliament, but they said we will try to help as much as possible, and if some public work can be found for them we will be glad to give them work. In the meantime I saw in the newspapers of Montreal that the Italian society had taken the matter in hand and were helping their fellow countrymen.

Q. Have you in the course of your public life had to consider the question of wages paid to labourers in this city?—A. Yes.

Q. What, in your opinion, would be the result on resident labourers in Montreal of the bringing in of such a large number of labourers?—A. I would say that it would be most detrimental to the interests of the resident labourers, because having to accept fixed salaries they have to make a scale that would cover the cost of living, and by the coming of these foreign labourers in such large numbers, without a moment's warning to our shores, the scale of wages is destroyed because there are too many men willing to work at reduced rates, and thus our resident labourers are bound to suffer. Accordingly, on account of the sudden fall or decrease in wages generally, it is most detrimental to the workmen of Canada, to the workmen of Montreal, that at any moment some 10,000 men shall be thrown on our shores and come in competition with our workmen resident in Montreal. That I say should be stopped by an amendment to our immigration laws or otherwise.

Q. So that no greater number should be brought in here than the demand requires?—A. Yes; and the Labour Department of Canada or the Immigration Department should be given the necessary authority to check such a sudden influx of foreign labourers.

By the Commissioner:

Q. Do you know what agencies were at work bringing in this large number of Italians during the present spring, Mr. Gervais?—A. Well, I would not like to hazard an opinion about the names of persons who are instrumental in causing such an influx of foreign labour, but I may say that the whole job was engineered by some speculators who wanted to bring to Canada any amount of men for the sake of reaping so much by the payment of commissions from some of the interested companies.

Q. I think the evidence fully bears you out?—A. It is the general opinion in Montreal that many foreign labourers are brought here for the sake of earning commission moneys and profit for individuals who are well known.

Q. Does the Provincial Government bring out immigrants from Italy?—A. No.

Q. Does the Dominion Government?—A. No. The class of immigrants that Canada wants to be brought here are picked up by the proper officials of the Dominion Government, by the proper agent of our government and I do not recognize the right of any private individual to speak in the name of Canada to the foreign labourers and induce them to come here. We have our proper officials who will not deceive the foreign labourer, and, consequently, I would say that these private enterprises bringing poor men to Canada should be checked. Special legislation should be incorporated defining those who shall have the right to represent Canada abroad, because the good name of Canada and the credit of Canada may be imperilled.

By Mr. Mowat:

Q. Have you given this subjeect enough attention to say definitely what in your opinion such amendments to the law should be?—A. Well, yes. We should have some clauses inserted in our immigration laws, for example, empowering our quarantine officials to examine what is the standing of the immigrants coming to Canada, and before they have been brought to Canada and rejecting those who are unfitted and at the same time making it necessary for the speculators who have been deceiving these people to send them back.

By the Commissioner:

Q. The immigration acts should be amended?—A. That is what I think.

Adjourned until 2:30.

MONTREAL, QUE., July 23, 1904.

COURT HOUSE, 2.30 P.M.

The Commission resumes.

COUNT FRANCESCO MAZZA, being sworn.

By Mr. Mowat:

Q. What is your first name Count?—A. Francesco.

Q. Are you Consul General in Canada for His Majesty the King of Italy?—A. Yes, sir.

Q. How long have you been in that position?—A. I took my position the 9th August, 1901.

Q. Have you had previous experience in the consular service?—A. Yes, I have held very important positions.

Q. Is it part of your duty to attend to the welfare of Italians?—A. It is my duty.

Q. Were you aware of the sudden influx of Italian labourers in May last?—A. Yes.

Q. Was it reported to you or did you learn how many were without employment here at one time, in round numbers?—A. I think 400 or 500 without food here.

Q. Have you anything to do with the bringing of these people into the country?—A. Myself.

Q. Yes?—A. I have in my power to regulate the immigration of Italians here and my duty is to prevent as much as possible the bringing in of more than necessary.

Q. Not more than necessary?—A. Yes, then my duty is to protect the immigrants and not permit immigrants to come if there is no work for them.

Q. Where you in a position to ascertain what was the reason for this excessive immigration?—A. It seems that persons interested in having immigrants come to Canada so as to employ them have written to Italy and sent advertisements in order to have people come here.

Q. That is not with your approval or with the approval of the Italian Government?—A. On the contrary, it is in opposition to the wishes of the Italian Government and the wish of the Consulate.

Q. Do you yourself take any steps to bring over immigrants?—A. Yes; I take steps in writing the government telling them not to allow people to come here in very great numbers, and after, when I saw that people were coming here in great numbers, I was obliged to wire to my government in order to give instructions to forbid immigration into Canada, and I wired twice.

Q. You cabled twice to your government to do what they could to prevent this immigration?—A. Yes, to give advice not to come into Canada to prevent by all means the coming to Canada of these people.

Q. Did you go to see the mayor of Montreal to confer with him, Mayor Laporte?—A. Personally I have not conferred with the mayor, but our Italian society that was instituted here, and was subsidized by the Italian government, has taken steps. Its president has taken steps to see the mayor of Montreal, in order to make provisions for all our immigrants here without food and without means of living, because the Italian Immigration Society had spent too much money without authorization.

Q. Had spent too much money?—A. Too much money. We had money for establishing an immigrant house of refuge.

Q. In Windsor street?—A. Yes.

Q. Is the work of the Italian Immigration Aid Society carried on with your approval? Do you approve of it?—A. Certainly.

Q. What means do you suggest to the Commissioner to prevent this abuse that has arisen. What is your suggestion, what do you say is necessary so that this thing cannot occur again?—A. I think it will stop if all these agencies are prevented from making a business of bringing Italian immigrants here. Their work should be stopped. That is my opinion.

Q. Have you made representations to that effect to the Italian government?—A. I have.

Q. Do you know whether the Dominion government has agencies in Italy to encourage immigrants to come?—A. I do not know. They certainly send many advertisements. I do not know if the Canadian agents have sent out these, but I know very well interested people here have sent advertisements and letters.

Q. These private agencies?—A. Yes.

Q. Then it is your opinion that there should be some system to prevent indiscriminate immigration?—A. I told you my idea is not to allow these private individuals to make a business of that, and to prohibit such action.

Q. Is it your idea that it should only be done through an incorporated society?—A. Certainly my opinion is that.

Q. Was the class of these people that arrived here such as to require protection, or were they able to look out for themselves?—A. They were able to look out for themselves, take care of themselves, but they have very limited means of living, having been here so long without lodgings and food.

Q. Are they people who look to the government to act as a class or act individually?—A. I cannot perfectly understand your question.

Q. Are they people that act as a class altogether or act as individuals, are they accustomed to take responsibility for themselves without coaching?—A. I cannot answer your question.

By Mr. Internoscia:

Q. The Court does not understand the purpose of the question: Are you familiar with the work of Signor Candori, was he brought from Italy for this purpose?—A. No, he was here and the society under which Candori is employed, the Italian Immigration Aid Society, has been incorporated in Canada.

Q. Are you satisfied with his conduct of the office?—A. I am satisfied, and I think all the committee, or the great part of the committee of the Italian Immigration Society is very well satisfied with his services.

By the Commissioner:

Q. As consul you report to the home government on the condition of the immigrants from time to time?—A. Yes, certainly.

Q. What is the nature of your report to your government on the condition of the immigrants?—A. I report the conditions of the immigrants from my observation and what their status is.

Q. Do you report on the advisability of sending out immigrants to this country ? A. Certainly. I reported that two years ago that Canada was a country where well regulated immigration could be directed.

Q. Have you reported that there should be a large immigration into Canada in 1904 ?—A. Not at all, I reported in 1903 that if the Grand Trunk Pacific was to be constructed it would mean the employment of a great number of Italians in Canada, but when I saw that the Grand Trunk Pacific was not to be constructed, I advised that it would not be possible to employ a large number of people here.

Q. When did you make that report again ?—A. I think the commencement of this year, and I advised the government to make provision to prevent people coming here in winter, because in the winter time they commenced to come here.

Q. How long does it take to come over from Italy to Montreal ?—A. To Montreal, I think one month or less.

Q. Are your reports published ?—A. No, I do not think exactly in print, but information is taken there for immigrants and the Bulletino d'Immigrazione published several advertisements telling people not to come because there were too many Italians in Canada already.

Q. When was that published ?—A. In April or May.

Q. Of this or last year ?—A. This year.

Q. Had your report to the government anything to do with the bringing out of the large number of immigrants this year ?—A. Yes, I have asked the government to make inquiry into the cause. We had a complaint from several Italians here who were brought here by letter of Mr. Cordosco.

Q. You complained to the home government about that letter?—A. I complained and I requested my government to make inquiries in order to assure me if that letter existed. We had a complaint here, the immigration society here had received a complaint, and I transmitted it to my government.

Q. What I asked was this : Would you think your reports to the Italian government brought out any men?—A. On the contrary.

Q. What efforts did you make to find employment for these men when they came here?—A. I sent several times to the C.P.R., and saw Sir Thomas Shaughnessy and Mr. McNicol, not only for the men here, but also for a great number of men at Michel, Alberta, B.C.

Q. What success?—A. I succeeded in obtaining employment of almost all the people who were in this place.

Q, When?—A. I think in May.

Q. All these here?—A. Yes.

Q. Who employed them?—A. The C.P.R.

Q Through whom did they employ them?—A. I do not know the contractor I do not exactly know, through the president of the Winnipeg or Pembroke Western Railway. I do not know.

Q. Were they compelled to register with Mr. Cordasco, in his office, before going out?—A. I do not know, these people were at Michel.

Q. Do you remember receiving a letter of which this is a copy?—A. Yes, I received it, and I received other letters from that direction, but after having inquired I found that these people were all employed.

Q. This letter is dated May 6, 1904, and is addressed to yourself as Italian Consul General. It reads :—

'MONTREAL, May 6, 1904.

'COUNT MAZZA,
'Italian Consul General, Montreal.

'DEAR SIR,—Our Vice-President has requested me to communicate to you the following telegram, which has been received from W. Whyte, Second Vice-President at Winnipeg, dated May 6.

'Italians Crow's Nest Pass have been offered work at $1.50 per day, our regular rate, which they do not care to accept. We cannot wait for them and in the meantime filling orders with Galicians from north.

'I might add that I have telephoned the contents of this telegram to Mr. Candori, of the Italian Immigration Society.

'Yours truly,

'GEO. E. BURNS.'

A. Yes, I received that.

Q. What was the result of that telegram?—A. The result was that I demanded explanations from some one there and understood by letter that these people had gone to work.

Q. All went to work?—A. Yes.

Q. No further complaints about them?—A. No.

Q. Who superintends the emigration from Italy in Italy?—A. We have inspectors of emigration, Italians, who see that the new law for immigrants is carried out. We have an agent at Rome, the Minister at the Foreign Office, and there is another agent at Genoa, one at Palermo and one at Naples. These are inspectors of emigration who regulate the emigration going out of Italy.

Q. Are there any places where the inspectors cannot prevent them from going?—A. Yes, when they are not admissible they go to some other port.

Q. You remember a place called Chiasso?—A. Yes.

Q. A number have come from there?—A. Yes, that is clandestine emigration.

Q. There are no inspectors there?—A. No. They take the train for Switzerland and for Germany and pass by this place.

Q. You know what steamship lines run there?—A. Not from there, they take the steamships from Antwerp, from Liverpool or other northern ports of Europe.

Q. They go through Chiasso to America?—A. Yes.

Q. And come through England to Canada?—A. Yes.

Q. The government cannot control them?—A. No. Because they get their passport to go to Switzerland and once they get to Chiasso they are beyond the control of the Italian government.

Q. Is Chiasso on the borders between Switzerland and Italy?—A. Yes. It is in Switzerland.

Q. How near to Italy?—A. Very near over the St. Gothard tunnel.

Q. There is a bulletin issued by the Italian Immigration Aid Society of Montreal?—A. Yes.

Q. It sets forth the attitude of the Italian Government towards emigration to Canada; do you remember that Count?—A. I do not remember exactly.

Q. That is what the report says, that is correct. (Shows bulletin to Count)?—A. Yes, it says that Canada was a country good for Italian immigration.

Q. I will read from the first annual report as published in that bulletin: 'The Italian Government, in fact the whole of Italy, has seen, within the last few years, that Canada is the only country in the world that promises much to labourious immigrants; it is the only country that, on account of its being very extensive and not thickly populated, will, for many years, be able to receive a great number of Europeans who may find themselves obliged to emigrate; it is the only country that, while it enjoys the advantages of the strength of a powerful empire, it engages its men only in the development of trade, commerce and agriculture. Having seen that Canada is, in other words, the Eldorado of the present day, the Italian Government wanted to see also in what way the Italian emigration to Canada could be better encouraged, and, to be sure of seeing it, they had to send in the person of Chev. E. Rossi, one who was competent not only to see but to judge.

'Chev. E. Rossi and Count Mazza, the Royal Italian Consul General, have immediately perceived that in order to encourage Italian immigration to Canada it was

necessary to protect it, and to protect it it was necessary to interest, in such a protection, not a private person but a corporation composed of men who already feel themselves above personal interests. This society was thus formed, and while it is formed according to the laws of Canada it also enjoys the benefit of the Italian law of emigration, inasmuch as this society is liberally subsidized by the Italian Government.'

Q. That sets forth correctly the attitude of the Italian Government towards Canada?—A. Yes; to encourage people to come at the proper time when there is work, not to come here in too great numbers.

Q. Now, is there anything else you would like to state?—A. No I have not anything else.

The COMMISSIONER.—I thank you very much for your attendance.

Mr. BURNS re-called.

By the Commissoiner:

Q. Did you bring in your bank account, Mr. Burns?—A. Yes. (Hands to Commissioner.)

Q. I will not examine you just now. I will look through it.

Mr. CORDASCO re-examined.

By the Commissioner:

Q. In your evidence this morning you stated that there were only nine men registered in July?—A. I stated that is all besides the two books you asked for.

Q. Only nine registered in July?—A. I know about the books.

Q. You want to know what you are swearing to, that is all. Will you give me the names of the nine registered in July?—A. I don't know the names.

Q. We will find them out (showing him book). Which are the names?—A. There were more than nine.

Q. More like 300; here are some registered by you?—A. He gave me nine registered in July. Will you please have Ganna show. Here is Gaetano Ramondelli, Gaetano Caramagno, Sebastiano Caramagno, Gaetano Bramato, Giustino Ramondelli, Conceizio De Lucia.

Q. That is only six?—A. Guiseppe De Lucia, Angelo Bellistri, Rosario Sigari.

Q. That is nine. Read more that have registered since; give me all that have registered since then?—A. All in this book.

Q. Q. What is the number in that book?—A. 34.

Q. And you know perfectly well that you have registered more than nine in this month? Why did you say nine?—A. You did not understand my words.

Q. I asked you in July. I find that up to the 7th you registered 68; on the 7th July alone you registered 64?—A. Whatever Your Honour says.

Q. Why give a statement that there were only nine in July when there were near 300?—A. I did not understand that at all; I knew there were a great many more.

Q. You want to be careful, there is no use denying the facts?—A. I know it is a mistake.

Q. I will find you out if it takes a month. I want you to tell me how many registered in July?—A. Some registered twice; paid $3 one time and $1 before.

Q. How many paying $4 have you?—A. About 110 or 115.

Q. You will have to go higher?—A. There is Mr. Ganna.

Q. Never mind Mr. Ganna, you are swearing to it. You will have to go higher than that?—A. I must go according to my bookkeeper. Let me see, 186.

Q. Go higher still?—A. What is the last number ?

Q. You have another book besides this?—A. There are four more. There are 200 here and 64 in that book.

Q.You are getting nearer now?—A. It is not my fault; my friend here is in fault.

Q. Now you see there are over 204 who have paid $4, have been registered twice. Have they got work yet?—A. No.

Q. You got their $4?—A. Yes; I am ready to give them back.

Q. You got $3 from each of these between the 5th and 12th of July. You got over $600 from these men?—A. If they want the money back I will give it to them to-night.

Q. You never give anything back?—A. I am willing to reimburse any man who may ask for it.

Q. Mr. Cordasco, how much money have you received from all those you have employed?—A. Ganna has got the figures; he has done my work and I will take what he says.

Q. He does not know everything, because you remember on the 1st July you had some thousand dollars that you never accounted for?—A. I gave an account. Where is that little book, Ganna, in which I made that entry?

Q. You got a lot of money you never told Ganna about at all?—A. I swear.

Q. Don't say that; I know better. On the 1st you were paid for registering 17 men, each man paid two dollars in advance?—A. I don't know.

Q. Now you know you never told Mr. Ganna about receiving $34 until I told him?—A. I told Mr. Ganna the next day, I forgot to register.

Q. That is your excuse and it is no excuse at all. Now, Mr. Ganna did not know this?—A. I forgot to tell him.

Q. You got money at your office?—A. And put names in book.

Q. You told me then and Mr. Ganna for the first time, so that there would be no misunderstanding?—A. That is all right.

Q. Not very much all right you know. Now there is your cheque account to produce?—A. The check notes between Boconcelli and Mello; I have them ready for you.

Q. How many notes have you there; have you one to——A. I got all the pack.

Q. To Graminique who had charge of a party?—A. That man was ill; I loaned him money to get better.

Q. How much?—A. $50 only; the note for $50 is there.

Q. How much money did you get from him?—A. $50 I did not charge that man one cent; I have known him for 17 years.

Q. Envelopes printed especially to send to Italy?—A. Not to send over to Italy, but to give to Italian labourers.

Q. To go over to Italy?—A. They are sent to Italy.

Q. Why did you put the Italian crest upon them without authority?—A. I did not do it myself; Ganna did it.

Q. Poor Ganna. You have that crest on all your letter paper and envelopes, even upon that banquet invitation?—A. All through Ganna; I was sending nobody.

Q. You were not sick in bed that time?—A. I was all right that time.

Q. Who printed that?—A. The Canadian Printing Company.

Q. Why did you have different colours?—A. No meaning.

Q. Some went to one province some to another?—A. Just the same change of paper merely.

Q. You got no authority to allow you to print the coat of arms on your envelopes?—A. I am ready to take it off, if Your Honour wishes.

Q. Was not that done for the purpose of making these poor immigrants think that you were connected with the Italian Government and that you were really the king of labour?—A. I will cut them off. Of course I asked Ganna; he is not responsible, it is not a full crown.

Q. How much do you give Ganna for all this work?—A. Just his salary, $40 per month. When I was here before I told you he was being paid too little.

Q. Now there is the Rev. Father D. A. Rocca?—A. Yes, that is a priest, a friend of mine in Boston.

Q. You wrote him on the 22nd March, 1904?—A. I think I wrote him.

Q. In that letter you say: 'But I will tell you in short that Messrs. Stabile & Co., of Boston, are bankers of unlimited reputation and you ought to know these gentlemen

who supply me with men with the utmost punctuality and never heard any complaint. Fifteen days ago Mr. Pistorino was here, to fix for the shipment of the men.'

Q. Who is Pistorino?—A. He is Mr. Stabile's bookkeeper.

Q. You arranged with him fifteen days before the 22nd March, that is the 7th March, for the shipment of men?—A. I told him; he came to make arrangements.

Q. Yes; do you deny that this man came?—A. I misunderstood.

Q. How many men did you tell him to ship; how many did you order?—A. I did not give an order for one.

Q. You told him you wanted men. You said: 'Fifteen days ago Mr. Pistorino was here to fix for the shipment of the men.' How many men?—A. I did not give an order for any men.

Q. How many men?—A. I spoke of the men from Canada, and anything I can do for them I will.

Q. You did not tell him how many?—A. No, sir.

Q. 10,000?—A. I do not remember if I stated that.

Q. That does not bring anything back to your recollection?—A. I do not remember whether I mentioned 1,000, 2,000 or 10,000.

Q. Who is your dear friend Raffaele?—A. I have lots of such names.

Q. You have so many of them?—A. Raffaele?

Q. Look at your letter and you can tell?—A. (Looking at letter.) I do not remember Raffaele; I do not know this man.

Q. If you will read the letter?—A. Yes. (Reads letter.) I think this letter went to Italy; this is my brother-in-law.

Q. What did you tell him there?—A. I told him I had another child.

Q. That is interesting?—A. And that Italians made a big demonstration.

Q. What did you tell him about that?—A. That a big demonstration was made and that a card was printed to state that I was one of the good men to look after the Italians.

Q. You stated that?—A. I said the Italians stated that. They cried in the streets: 'Viva Antonio Cordasco benefattore degli Italiani.'

Q. Is that what the people said to you?—A. Also I told him they were so nice to me; gave me crown and nice bouquet of flowers.

Q. How many thousand did you tell him there were there?—A. I told him there were 2,000 or more in the street.

Q. Everyone in the street?—A. These men.

Q. At the time of that demonstration, their names were in your books?—A. I mentioned they were in the street with me in that demonstration.

Q. You say in your letter: 'I have nearly two thousand men entered in my books and any time you like to come I will send you the ticket.'

Q. You got your friend to send men over the sea?—A. Not one.

Q. Send him your card?—A. Yes, one or two.

Q. More than one or two?—A. I don't think so.

Q. What were you sending them over for?—A. To show my card.

Q. To whom?—A. To my brother-in-law.

Q. For immigrants?—A. He is an Italian. No connection with an agency or anything of that kind.

Q. You say that you did not draw the men's wages?—A. I do not know whether it was wages, but everything was given to the people.

Q. Can you read that, Mr. Cordasco?

'MONTREAL, November 4, 1903.

'We the undersigned, signed with a cross mark as we cannot write or read, both of us, we authorize Mr. A. Cordasco to draw our wages for work done in the month of October last, 1903, and we both authorize the Canadian Pacific Railway Company to pay over our wages to Mr. Cordasco of 375 St. James street.'

'Attached you will find our No. 13 & 13 in red thick paper and this money will be shipped by Mr. A. Cordasco to our address, Aiello, Calabria Province, Cosonza.

In faith as above we both signed with cross.

'ANTONIO FERRESI FU SALVATORE,
'VICENZO MARELLO FU LORONZO.

Witnesses, A. Ganna,
Luigi Patrone.'

A. I never received any money on this.

Q. This was given to you on November 4, 1903, by men not able to read nor write?—A. I did not get any money.

Q. They authorized you Antonio Cordasco to draw their wages?—A. Yes.

Q. You know how much the wages amounted to?—A. I do not think, I did not see any.

Q. But they attached their wages tickets?—A. There were some tickets.

Q. Where are the tickets?—A. Can I ask Mr. Ganna. There was a piece of paper then with two tickets.

Q. You remember where these tickets are?—A. We did not get money for this. They can be found any time.

Q. Where?—A. With the paymaster of the C.P.R.

Q. Did they go to Italy?—A. Yes.

Q. Have they returned?—A. No.

Q. How much money was claimed?—A. I do not remember.

Q. Did you not call to collect?—A. I sent Ganna once or twice to paymaster. There was no money, no use for me to go.

Q. I would like to see these tickets?—A. Yes, Your Honour with pleasure.

Q. How much do you get for selling C.P.R. tickets to men?—A. $2.

Q. What tickets do you sell to the men?—A. Just for the Atlantic service, the steamships of the Atlantic service.

Q. Between what points?—A. I suppose Liverpool and St. John, London and other points.

Q. Do you know Sabatino Sgamurra, he came over here?—A. I never saw him.

Q. Is he not one of your foremen?—A. He sent some people.

Q. Did he come over with 100?—A. I don't think so Your Honour.

Q. On February 8, 1904, you wrote him to Portland, Maine?—A. I may have written him all right.

Q. He sent a money order for $50, which you entered at once in your books?—A. Yes.

Q. Then you say: 'you and the men should not take any trouble about the time of the shipment, when your turn comes I will notify you by letter.

'For the moment I will not make any change for the Filovori's list, but at the time of shipment you may call and bring with you as many men as you want and if you like, I may authorize you to bring even 100 of them.'

Q. Did he do the work for you, you wanted him to bring 100?—A. I don't think so.

Q. Did he not send 100 names over?—A. No, 40.

Q. That is he paid $40 for the labourers and $10 for himself?—A. Yes.

Q. That is all I want to ask you, Mr. Cordasco, until Monday morning, when I get this statement.

Mr. Candori re-examined.

By Mr. Internoscia:

Q. This is the agreement that you have prepared for the society?—A. I have not prepared it myself, it was prepared by the proper officer of the society.

Q. What is this petition that I have heard about from the society to the Governor General in Council, of May 19?—A. It was to solicit some help from the Federal government in the event of illiterate people coming here in the condition of which we have spoken.

Q. Was it acknowledged?—A. Yes, receipt was acknowledged, that is all.

Q. Are the facts in it correct?—A. Yes, because I prepared it myself.

Q. All the facts stated are correct?—A. Exactly.

'To His Excellency the Governor General in Council,
'Ottawa.

'The petition of "The Immigration Aid Society No. 1 of the Immigration District of Montreal," also known as the "Italian Immigration Aid Society" for Canada in Montreal, respectfully represents :—

'1. That your petitioners have been incorporated, on the 10th of November, 1902, according to chapter 66 of the Revised Statutes of Canada, 1886 (35 Victoria, c. 29) ;

'2. That the purposes of the society so incorporated are the following, to wit :

'(a) Assisting Italian immigrants to reach Canada ;

'(*b*) Assisting Italian immigrants to obtain employment ;

'(*c*) Assisting Italian immigrants to obtain land for settlement from the Canadian government or the different provinces ;

'(*d*) Assisting Italian immigrants in every possible way ;

'(e) Enabling persons in Canada in want of labourers, artisans or servants to get from Italy desirable citizens.

'3. That your petitioners—in order to do, for the welfare of the Italian immigrants, all the above—have opened not only an office but also a house of refuge, for which they will have to spend annually not less than four thousand dollars ;

'4. That the Italian government has already given to your petitioners the sum of $2,891.75, and will grant further subsidies of about two thousand dollars per year;

'5. That there are at present in the whole Dominion of Canada, about 40,000 Italians, and of these there are now not less than 12,000 without employment, over 1,000 being without any means of livelihood whatever, so that an aid society, like that formed by your petitioners, is not only desirable but also necessary, because it looks after the interests of such foreigners and helps them in time of need, as in the present instance, when hundreds of them receive food and lodging from our society;

'6. That, unless some material help is given by the Canadian government your petitioners will not be able to proceed with their work, in and amongst the Italian immigrants to Canada ;

'Wherefore, your petitioners pray that it may please Your Excellency in Council to grant them some annual subsidy to make them proceed with their work as intended by the formation of said Immigration Aid Society.

'And your petitioners, as in duty bound, will ever pray.

'Ottawa, May 19, 1904.

Q. Have you had any communication with Mr. Burns respecting the charges made by Mr. Cordasco?—A. Yes.

Q. When?—A. At the beginning of last year. As soon as people came to complain to the office that they were compelled to pay commissions to get work. I thought then it was my duty to go right away and make a complaint about that, but Mr. Burns said that he did not know anything particularly about that, and that he did not care, as long as the work was going on all right, and that it was not his business to know whether he charged $1 or $2.

Q. Was it not part of your business to make inquiries?—A. Yes.

Q. When did you next see him about it?—A. After that we wrote two letters of which Your Honour has copies, and addressed to the General Manager of the C.P.R.

Q. Do you remember the date?—A. March 16 and 26.

Q. Do you remember what the contents were?—A. The answer to the first letter that we sent was signed by Mr. Burns, and in the second letter we stated our surprise to see that what was stated by the special agent was just the opposite to what was promised to us by the higher officers of the company to whom some of the members of our board of management had applied. We explained the aims of our society, that we did not wish to interfere with the company's system, but that we did it without any idea of speculation or private interest and only to help the men and protect them from those people which took advantage of their ignorance to make money out of them.

Q. Did you tell Mr. Burns how much Mr. Cordasco was charging the men?—A. Yes, I did.

Q. Do you remember the amount?—A. $3.

Q. For foremen?—A. I did not know how much it was for foremen, but later on, I think about last fall, some foreman, I cannot quite recollect whom, somebody, came to say he was compelled to pay $25 to get a place as foreman.

Q. Do you remember the man?—A. No, somebody told me incidentally, I have not got the proof, and I only spoke to Mr. Burns without stating anything about it. About November, I think, last year, I was one day in Mr. Cordasco's office, just complaining about a man who was sent back without work, and I saw somebody getting the ticket, the free ticket to which they were entitled for their passage to Boston, and they paid $1, and I asked why this man paid $1. Cordasco said it was just for his trouble. As no body complained about that I did not say a word, but a few days ago the Consul General called my attention to the fact because some one complained at the Consulate that they had to pay for passes that were given free by the company. Another man came to my office complaining that he had paid $1 for a pass, so I went down to Mr. Cordasco's to inquire into the matter. He got very excited, even very rough to me, but I do not know how they managed it, they gave him 50 cents and he did not say anything. There was no need of evidence with the other case, because I saw it myself. I saw positively a person once pay $1 for a free passage ticket to Boston. Lately, about two months ago after Mr. McNicoll's private secretary and Mr. Lindsay told me that no money was to be paid here by Italian labourers, a man came to my office and told me that he had been compelled to pay $3, and I took the man and went to see Mr. Burns right away. Mr. Burns made an investigation and although it was stated by this man that he had really paid the money Mr. Cordasco's books did not contain his name, and there was lots of looking about without any result.

Mr. Antonio Ganna, being sworn—

By the Commissioner:

Q. You are clerk in Mr. Cordasco's office?—A. Yes.

Q. Since how long?—A. Nine months.

Q. When did you come there first?—A. About October 12 of last year.

Q. What are your duties?—A. Shipping money to Italy, selling tickets, correspondence and everything in the office line.

Q. You are kept pretty busy?—A. Sometimes.

Q. You receive how much?—A. $45 a month.

Q. Who conducts the correspondence?—A. The correspondence I write myself but sometimes take instructions from Mr. Cordasco.

Q. Do you take instructions from Cordasco?—A. Sometimes.

Q. You remember receiving a postal card from Mr. Parretti?—A. Yes, sir.

Q. When was that received?—A. I think in February.

Q. February last—A. I think about that time.

Q. Did Mr. Cordasco see it then?—A. No, he was sick at that time.

Q. Did you read it to him?—A. Oh, yes, he opened the correspondence himself.

Q. You bring it to him every morning, you read everything to him every morning?—A. I bring the correspondence he opens it.

Q. Does he instruct you how to answer ?—A. Some letters.

Q. You remember the letter written to Parretti ?—A. I do not remember that.

Q. You wrote it ?—A. I wrote that letter.

Q. Did he instruct you to do so?—A. I am sure I do not know.

Q. Why did you write it ?—A. Myself I wrote it but I did not have any instructions for that letter from Cordasco.

Q. Why did you say 10,000 men were wanted ?—A. Well, I think, this year we would want them for railway work.

Q. Did Mr. Cordasco tell you that ?—A. I cannot swear.

Q. Did Mr. Cordasco mention 10,000 men in the office sometimes?—A. Yes.

Q. How often did he mention it ?—A. Some labourers in the office asked for work and sometimes he said this will be a good year for work, every contractor will want plenty, about 10,000 men in all.

Q. Did he ask or instruct you to write that letter to Parretti ?—A. I cannot swear for that.

Q. Will you look at that letter and see if that came out of your head ?—A. I know that very well.

Q. Did that come out of your own head, that is a pretty long letter, a pretty important letter ?—A. This letter is an answer to foreign postal card sent by Mr. Parretti.

Q. That card you showed to Mr. Cordasco ?—A. I remember that card he asked for some pamphlets for railways and he acknowledged receipt of them and I sent him newspapers to Italy.

Q. How did you come to send them to Parretti?—A. I saw his name in some place.

Q. When sending to Parretti, where did you find his name?—A. In some advertisement of steamship companies in some book.

Q. Who told you to send them to Parretti ?—A. No one.

Q. Who told you to send newspapers away ?A. Nobody told me.

Q. You conduct the advertising department?—A. No, Your Honour, I take an interest for my boss in this case and send newspapers.

Q. Did you show Mr. Cordasco the letter that you wrote to Mr. Parretti, yes or no?—A. I do not think so.

Q. It was open to him in this letter book?—A. Oh, yes.

Q. It was copied in the letter book in the usual course?—A. Yes.

Q. You did copy that letter in the letter book?—A. Yes.

Q. How did you sign it?—A. Cordasco per A. Ganna.

Q. You stamped it?—A. Yes, with his steel stamp.

Q. Did Mr. Cordasco instruct you to stamp all letters with the stamp?—A. Yes.

Q. So you were carrying out your instructions in stamping that letter?—A. Yes, any letter, every letter.

Q. He was sick at that time?—A. Yes, only beginning to come down to the office.

Q. Did you tell him you had written to Mr. Paretti?—A. This I cannot remember. Some days I have from 10 to 20 letters, and I do not know whether he knew I had written to Mr. Parretti.

Q. You wrote to others stating that you wanted 10,000 men?—A. Well, perhaps, I do not remember seeing letters.

Q. Did you not hear them read yesterday?—A. Not to Parretti.

Q. Not to Parretti, all the others besides Parretti's. (Hands him letter)?—A. That is all right, I will take the responsibility for that.

Q. The 6th of January, he was not sick on January 6? Did he instruct you to write that letter?—A. I suppose I was not instructed, I wrote that letter and put it into his basket and he could see it. The basket was between our two desks.

Q. You say in that letter:

'MONTREAL, January 6, 1904.

'Messrs. LUCAS CAMMAROTA & Co.,
'13 Burns St., Fall River, Mass.

'I promptly answer your letter. I do not make shipments to Nova Scotia. I send men to work for the C.P.R. and other great companies and contractors, and this year I shall be in need of 10,000 men.

'The first shipment will be sure in the spring according to the weather, and the first to start are those marked in my books.

'If you want more particulars write to me and I shall give them to you.

'Yours truly.'

Q. That is what Mr. Cordasco told you, that he would be in need of 10,000 men?—A. He instructed me only one time and for all times.

Q. That instruction was that he needed 10,000?—A. He did not tell me 10,000, only about 10,000.

Q. How did you come to state 10,000 instead of saying about 10,000? Here is another letter of January 26, 10,000 men, and another on February 9, 10,000 men again. That is what your instructions were, that is what you were told to write?—A. I think so.

Q. Do you remember Mr. Stabile's clerk being here?—A. His clerk Pistorino?

Q. Yes, why did he tell him that you wanted 10,000 men?—A. Me?

Q. No, Mr. Cordasco?—A. Well, this I cannot tell you, because I was not there. Mr. Cordasco sent me out on duty. He stayed in the office about one hour.

Q. Did Mr. Cordasco mention to Mr. Pistorino that he would want 10,000 men? A. Not in the office, no.

Q. At any other place?—A. No, I closed the office at twelve.

Q. What numebr of men did you mention to Aiello?—A. Plenty men, no number. I told him this year was going to be a good season for work.

Q. 10,000 men?—A. Not 10,000.

Q. What time was this?—A. He came every morning. He came into the office on the 14th and I think he stayed in Montreal eight or ten days.

Q. Do you know how many men Cordasco told him?—A. He sent him a telegram to prepare for men, but did not say how many.

Q. How much did Mr. Cordasco charge foremen?—A. $10.

Q. No more than that?—A. At present?

Q. No more in your time?—A. I only worked for Cordasco since last October.

Q. You did not know that he charged some $15, $25, even as high as $40?—A. Not last year, I cannot tell.

Q. Sometimes the men paid as high as $4?—A. Yes.

Q. How many paid $4?—A. About 186.

Q. You gave me a list of 204. Now do you not remember this lot that had paid $1 before and $3 afterwards?—A. Yes, 204 you will remember they registered twice.

Q. How many of these received work?—A. Very few.

Q. Have they asked to be repaid their money?—A. Some people.

Q. Quite a number?—A. Exactly, three or four a week, this week about ten.

Q. There were more than ten in one day while I was there, asking to get their money back?—A. In one day, yes I remember.

Q. Do you remember when I was in the office looking over the papers a young fellow who wanted to get to Boston, had paid $3, brought his agreement and asked for his money?—A. Yes, and he was told to come next day.

Q. He did not get his money?—A. I do not remember.

Q. He appeared to be very sick?—A. Yes.

Q. Dying of consumption?—A. Yes.

Q. And could not get his money back?—A. Yes.

Q. I told Cordasco to pay the money?—A. I remember that.

Q. And he would not pay it ?—A. No, he told him to come the next morning.

Q. Do you know how much Cordasco makes in a year out of these people ?—A. I cannot tell you because I have not been with him a year. For about six months I can say about $7,000.

Q. Out of the men for six months ?—A. No out of the men altogether. Out of the men registered now, you have that list, the amount is $6,121.

Q. And there are some monies received by Mr. Cordasco not mentioned in your statement?—A. No.

Q. He did not give you a statement of that $34 when I was there on June 29, you remember that ?—A. I remember now.

Q. He did not give you that statement before that ?—A. No.

Q. I told him he had forgotten to give that. You remember, I stated that there were other names of young men who had come and said they had paid him money?—A. I don't know because one morning he came down and told me there were three or four men for registration and I registered the names and——

Q. No money?—A. No money.

Q. Now you cannot swear as a matter of real occurrence that this is the only sum he received from the men, $6,121 for the last few months beginning with November, December, January, February, March, April and May ?—A. Yes, for that statement.

Q. As far as you know ?—A. Yes, and the nine men in July and 27 in June.

Q. How much from the Canadian Pacific Railway during the same months ?—A. That changes every month. Sometimes $270, sometimes $300. I think in July about $600, because 300 have left for work, and they had some provisions.

Q. How much would that be in addition to the $6,121?—A. The Canadian Pacific Railway has nothing to do with this work.

Q. How much would he make out of the Canadian Pacific Railway for attending to this work?—A. $1 for each man.

Q. And that would be up to the present time, $331 this month alone?—A. Yes.

Q. How many for six months this year?—A. Of this year $727.

Q. Does that include the $300?—A. Yes.

Q. Before that he got $5 per day until the end of April?—A. He had $5 per day until November of last year, and in December he got some translations to do.

Q. Did he get anything for looking after the men in December, January, February? Now, you gave me a statement of $153 in November and $400 in December?—A. That is men who have registered in the office.

Q. You have sent in your accounts, they will show what you have received from the Canadian Pacific Railway ?—A. In December I have a few dollars, I think, about $100.

Q. How much commission does he make out of the men for travelling expenses, tickets ?—A. Mr. Cordasco ? nothing at all, he does not charge commission.

Q. But he charges a commission from the Canadian Pacific Railway and from the steamship lines in connection with these men?—A. Well, he gets $2 from the Canadian Pacific Railway, but I have not sold any.

Q. Not this year?—A. Not this nor last year.

Q. How many steamship tickets from Italy for these men?—A. I think about 125 from Italy and gets $7.

Q. That is only one company. How much from every company ?—A. About 105 or $735.

Q. In connection with these men he therefore makes pretty nearly $10,000 a year on them?—A. In one year? I know only these months.

Q. Taking from June to June?—A. I went to him in October.

Q. Well, then, from October to October?—A. I suppose so.

Q. That is all until Monday; you will get this statement prepared for me.

Luigi Giacci, being sworn. (Through interpreter.)

By Mr. Mowat :

Q. How long have you been in Canada?—A. Fourteen months.
Q. Are you a foreman?—A. Not last time, only this summer.
Q. Did you go to Mr. Cordasco to have your name registered?—A. Yes.
Q. What did you pay him?—A. $10.
Q. Did you get a foreman's job?—A. Yes.
Q. What time?—A. About January 1. I do not remember the time exactly.
Q. Did you make up a gang?—A. Yes.
Q. How many?—A. Forty-four.
Q. Did you pay for them, or did they pay themselves?—A. My brother gave money to Mr. Cordasco.
Q. How much, $1 a piece?—A. First time $1 a piece, second $2.
Q. When was the last demand made?—A. I do not remember.
Q. About when?—A. About a month ago.
Q. They never have got work?—A. No.
Q. Did they ask for their money back?—A. They asked lots of times for to get money back.
Q. Did not get it?—A. No.
Q. Is that all you wish to say?—A. That is all I can say.

Guiseppe Mignella, recalled.

States : In December last Mr. Cordasco told me to make up a gang, 100 if I liked, because he needed 10,000 men to go to British Columbia for the Canadian Pacific Railway.

By Mr. Mowat :

Q. When was that?—A. In December last I paid $42 to Mr. Gamma and Mr. Cordasco said that at that time that he needed 10,000 for the Canadian Pacific Railway. He said supply what men you like, the more the better.
Q. How often did he mention 10,000 men?—A. Every time when I used to go to the office.
Q. You went to the office?—A. Yes, very often when I had the name of two or three or five men I used to bring the money and he used to say it.
Q. When for the last time?—A. Two weeks ago I went there for a job.
Q. What did he say then?—A. He put me out of the office like a dog.
Q. Is there anything else?—A. Yes, for two boxes of sardines and pork and beans he charges $2.85 for me and my son to go to White River.

Guiseppe Santarella, being sworn. (Through interpreter.)

By the Commissioner:

Q. How long have you been in America?—A. Going on three years.
Q. When did you apply to Cordasco for work?—A. In December last.
Q. What position did you apply for?—A. A job on the C.P.R.
Q. Did you pay anything?—A. I gave $3 to my foreman and the foreman said I would get work immediately, to-morrow.
Q. What was the name of the foreman?—A. Salvatore Mollo.
Q. Did you get your money back?—A. No.
Q. Did you ask for the return of the money?—A. I asked my foreman, because I gave the money to him.
Q. He did not get it back?—A. No, sir.
Q. You have no work yet?—A. No.

FRANK GEOFFRIE being sworn.

By the Commissioner:

Q. How old are you Frank?—A. 14 years.

Q. Were you employed in Cordasco's office?—A. Yes.

Q. When?—A. In December last.

Q. Until when?—A. Until the last of April.

Q. How much did you get from him for working?—A. $3.25 per week.

Q. Why did you leave him?—A. Because my mother would not allow me to go there any more.

Q. What did you do in the office?—A. I was message boy, did all work in the office.

Q. Did you do any typewriting?—A. Yes, when Mr. Cordasco gave me some to do.

Q. Did you see Mr. Stabile's representative there?—A. Well, I don't know Mr. Stabile, one of his secretaries.

Q. His clerk?—A. Yes.

Q. When was he there?—A. I cannot tell.

Q. While you were there?—A. Yes.

Q. What number of men did Mr. Cordasco say was wanted for this year?—A. The first time I was working over there he told some men he wanted 10,000 men.

Q. How often?—A. Two or three times I think.

Q. To different men?—A. Yes, Your Honour.

Q. Did he tell that to Mr. Stabile's secretary?—A. I cannot tell you for sure.

Q. You remember Mr. Aiello?—A. Yes.

Q. Did he speak to Mr. Aiello about the number of men?—A. I cannot say.

Q. Was it about that time that he was speaking about 10,000?—A. No, Your Honour.

Q. After that?—A. Before that.

Q. Do you remember his writing to Mr. Burns about wanting 10,000 men?—A. No, Your Honour.

Q. You do not remember that?—A. No.

Q. What do you remember about his writing to Mr. Burns?—A. Well, he wrote him almost every day.

Q. Anything about the number of men?—A. I do not remember.

Q. Anything about the amount charged the men?—A. One time he said two thousand men, each one thousand dollars, but I do not know if he gives that to anybody.

Q. You don't know if he divides up with anybody?—A. No.

Q. That is what was written to Mr. Burns?—A. Yes, Your Honour.

Q. Two thousand men, one thousand dollars each. You remember when that was written?—A. No, Your honour.

Q. Who was to get that money?—A. I don't know.

Q. Was that the men's money Mr. Cordasco was getting from Mr. Burns or from the C.P.R.?—A. Don't know.

Q. Do you remember Mr. Mollo?—A. Well, you see, I don't remember, there were lots of men over there.

Q. You see Mollo is one you would always remember?—A. I know Mollo all right.

Q. Do you remember him giving $10 to Cordasco?—A. I cannot tell.

Q. There were so many giving?—A. Yes.

The Commission adjourned until Monday, July 25, 1904,
10 o'clock in the forenoon, court house.

MONTREAL, QUE., Monday, July 25, 1904.
THE COURT HOUSE, 10 A.M.

The Commission resumed.

PRESENT:

His Honour JUDGE WINCHESTER, Commissioner.

H. M. MOWAT, Esq., K.C., Counsel for the Dominion Government.

ALFREDO DI ROSA being sworn: (Through interpreter).

By Mr. Mowat:

Q. You are editor of *La Patria Italiana* ?—A. Yes, chief editor.

Q. How long have you been in that position and what date did your employment stop?—A. From last December to last week of May.

Q. Mr. Alberto Dini, is he the owner or a shareholder in that paper?—A. No.

Q. Do you remember Mr. Alberto Dini asking you to write out an advertisement calling for 10,000 labourers ?—A. Yes, sir.

Q. What time was that ?—A. I do not remember, between January and February.

Q. This advertisement was published on January 14 and 21 last: 'For the coming spring. Mr. Alberto Dini announces that there will be a very large demand for perhaps 10,000 labourers for the coming spring. Italian workmen know that Mr. Dini is the representative of very many construction companies and also are aware of the proverbial integrity with which he has in the past proven during the many years he has resided in Montreal. Those who desire to obtain work at good wages from spring until winter would do well to register their names at Dini's bank, 2026 St. Catherine street ?

Q. Did Mr. Dini ask you to write that ?—A. Yes, the first time.

Q. And it was repeated in other editions ?—A. Yes, many times.

Q. What is the circulation of your paper ?—A. From 1,200 to 1,300.

Q. How many of these were sent to Italy?—A. I don't know. Any man can buy the paper and send it.

Q. Were any sent from the office?—A. No.

Q. Do you know how many Dini got of these ?—A. No they only get one from the office.

Q. Dini said here the other day that he knew nothing about this advertisement, but saw it only afterwards ?—A. He came himself to my office and asked me to write the advertisement.

By the Commissioner:

Q. How much did he pay for the advertisement ?—A. Nothing to me.

Q. Can you find out date or anything else?—A. I don't know, his friend Villani might know.

Q. Does Villani keep the books ?—A. I think he does, there is no other man there.

Q. Can you produce the original advertisement left by Mr. Dini?—A. I am not there any more.

Q. Who would give it ?—A. Villani himself, I do not know where he is.

Q. Is he in town, could we get him to-night ?—A. I do not think so, to-morrow perhaps, or next day. He was in town Friday last.

Q. Was the advertisement left in the usual way other advertisements come in ? A. Handed in by Mr. Dini in the usual way.

Q. Where did you write the article ?—A. In my office.

Q. Where ?—A. At 335 St. James St.

Q. Not in Dini's office ?—A. No.

Q. Where did Dini tell you to write it, at what place ?—A. In the newspaper office.

Q. Did Dini produce any advertisement of Cordasco's ?—A. No, never spoke about Cordasco.

C. H. CATELLI, being sworn.

By Mr. Mowat:

Q. What is your name in full ?—A. Charles Honoré Catelli.

Q. Have you been a long time a resident of Montreal ?—A. 38 years.

Q. You have taken an interest in the immigration of Italians that have come to Montreal from time to time ?—A. Well, generally they come down to us when they want help.

Q. You have assisted them for years ?—A. Yes, in a small way.

Q. Are you a member of a society called the Italian Immigration Aid Society No. 1 ?—A. Yes, the president.

Q. What was the purpose of the founders of that society ?—A. It was to try and prevent Italians coming here without any work to try and systematize as much as possible the work of the Italians in Montreal.

Q. I infer from that you supplied the essentials to exist ?—A. That is what we tried to do.

Q. That was the aim of the society ?—A. Yes, sir.

Q. Do you remember the influx of Italian labourers here in May last ?—A. Yes.

Q. Did you calculate how many ? Your work would probably enable you to obtain the number ?—A. There was, I think, 5,000, of course that is only my own opinion.

Q. Were you able to form any personal opinion as to the amount of means these people had, whether they were destitute or not ?—A. Those who applied to the immigration society complained they had no money.

Q. Have you any idea as to their truthfullness ?—A. When a man is satisfied to eat hard bread and drink water I think there is not much money in his pocket.

Q. Were you one of those who interested yourself in going to the municipality to see the mayor and aldermen with a view of having something done ?—A. Yes, sir.

Q. Do you remember conversing with Mr. Laporte ?—A. Yes, perfectly well.

Q. Were you one of those who sanctioned the expenditure of some of the Italian Government's money for a temporary supply of food ?—A. Yes, with the permission of the Consul.

Q. That is Count Mazza ?—A. Yes, sir, Count Mazza.

Q. Have you formed any opinion as to the chief cause of this excessive immigration, will you give it to us ?—A. Some Italians came to see me, when I asked them why they came here, they said they had been sent by Mr. Parretti of Udine.

Q. How many were there ?—A. There were five or six, they went back.

Q. Did they show you any cards ?—A. They had a book of addresses and a set of cards given at Parretti's office.

Q. What was on the cards ?—A. I did not notice. These people were told by Mr. Parretti, that Signor Cordasco was a large contractor in Montreal, and wanted 8,000 or 10,000 men.

Q. They were told that in Italy ?—A. Yes.

Q. That induced them to come to this country ?—A. Yes.

Q. They have now gone back to Italy ?—A. I was told they had gone back.

Q. This is a statement signed by these men:

'We, the undersigned, declare as follows: That at the moment of leaving Italy for Canada, Mr. Antoni Parretti has read and shown us a letter signed by Antonio

Cordasco, in which he asks for 8,000 or 10,000 labourers from the Province of Venete, and in which he promises immediate work as soon as we get to destination. Besides this we saw circulars and newspapers coming from Montreal, with the photograph of Cordasco circulated in our province, encouraging the labourers to emigrate to Canada. Besides that Parretti distributed the address of Cordasco as above.

'Signed by ten Italians.

'MONTREAL, April 22, 1904.'

Q. Is that a correct translation?—A. Yes, sir, that is about what they told me.

Q. Do you remember receiving a letter of complaint from some Italians at North Bay?—A. Yes.

Q. Have you got the letter?—A. I gave it to Mr. MacKenzie King.

Q. Is this a proper translation of it?:

'States that the men were pretty nearly starving up at North Bay; they had got some help from another man who came from Montreal. If it had not been for him they would have died, some of them. Now would be the time to ask Mr. Cordasco where is that work which he had when he said he would employ 8,000 or 10,000 labourers, in the letter he wrote to Antonio Parretti, agent of the 'Le Veloce' Udine. About 20 of us at Venete can prove this. Mr. Parretti read to us a great many times the letter of Mr. Cordasco. You must pardon my speaking about Mr. Cordasco, but my conscience compels me to. I am only doing it with a view to stop this fraud, and they have had to mortgage everything to come to this country, with the hope that they would find a fortune; in exchange they are suffering hardships and misery.

'The day that I signed the declaration there were over twenty with me. Italians all over Canada tell you the same.

'To certify the truth of what I am saying I will sign with two of my friends.

(Signed) 'ANTONIO COSANI.
'DEMURZA GIOVANNI.
'VITTORIO VENTARUTTI.'

A. Yes, that is about the tenor of the letter.

Q. Which you received from North Bay?—A. Yes.

Q. You say that you have paid attention to the assistance of Italians for this number of years, have you formed an opinion as to the best means of preventing such trouble as we had here?—A. Well, I think for my part that the Italian Government tried to prevent them as much as possible from coming and if the Government here could get the Government of the United States to prevent a man from landing unless he had sufficient means, at least for a couple of months, that is what I suggested to the Hon. Mr. Sifton.

Q. Would you go so far as to say that private agencies should be prohibited?—A. Well, my idea would have been that the employment of labourers should be in the hands of an incorporated, disinterested society.

Q. A disinterested society?—A. Yes, such as the Immigration Society.

Q. Without private interest?—A. Yes.

Q. You think that the cause of this excessive immigration was that if a man is interested in making money he can be trusted to make as much as he can, business is business you would say?—A. Yes, sir.

Mr. CORDASCO re-examined.

By the Commissioner:

Q. You are still under oath, Mr. Cordasco?—A. Yes, Your Honour.

Q. Can you tell me the number of Italians that came from the States and registered with you this year?—A. A little over 300.

Q. How many over 300?—A. If Your Honour will give permission, Mr. Ganna will give you statement?

Q. Yes?—A. (Looks at statement.) 341 came to Montreal that we did not ask to come and 536 came at my request, making a total of 877.

Q. All these registered with you?—A. These 877 registered.

Q. Registered and paid their fees whether they came or not?—A. They sent to me $1 each from their place.

Q. Besides $10 for foremen?—A. For some interpreters.

Q. When was the last money you received from interpreters from the United States?—A. Well, that is quite a while——

Q. See your letter book?—A. Mr. Ganna, bring the letter book here.

Q. Turn up letter from Franco, Mr. Ganna?—Mr. Ganna.—A. Yes, I have it. Mr Cordasco: That is not very long ago, he promised me but never sent in any list.

Q. (To witness.) Look at the letter book, page 225. I will read you a translation of the letter:

MONTREAL, June 24, 1904.

'VINCENZO FRANCO,
Post Office,
Boston, Mass.

'I am in receipt of your letter of the 22nd instant enclosing a money order for $20, and I thank you. I have noted its contents. I cannot but confirm what I have already stated in my letter of the 16th instant. The conditions of labour have not much changed because from the 16th to date I have sent out only two small parties.

'Do not be discouraged, because I will be able to call upon you shortly, as already mentioned in my preceding letter. You can write me again after the first of July, and if the situation has changed, I will be able to say what I will be able to do, but to-day I do not promise you anything. I cannot make any preference to others; I have some whose names are registered prior to yours.

'With best respects,

'A. CORDASCO.'

Q. So you received $20 from Mr. Franco?—A. Yes.

Q. You still have that $20?—A. Yes, sir.

Q. Did he ask you to return it to him?—A. I got a letter this morning that I saw myself.

Q. How long since it was received?—A. I saw one this morning.

Q. When did it come here?—A. The letter?

Q. Yes.—A. Just this morning, one letter.

Q. When did you receive another letter before this morning?—A. I do not remember.

Q. Try and find out, Mr. Ganna—July 14. (Mr. Ganna finds letter and hands book to witness.)

Q. What does it say?—A. 'I have received your letter, but now I cannot send your order, because I am sending very few men to the Canadian Pacific Railway, but keep quiet, and when I can I will send you.'

Q. Was he asking for the return of his $20?—A. He asked this morning; well, I only received it this morning.

Q. This is a translation of your letter of July 14, 1904:—

'MONTREAL, July 14, 1904.

'Sig. Vincenzo Franco,
'Post Office,
'Boston, Mass.

'Your favour of the 2nd instant has come to hand. I must inform you that had you written in February, even though you had not done so regularly before I could have

registered your name, basing myself on the promises contained in your letters I would have trusted to your honesty to pay the registration tax.

'Admitting the manner in which you write, it is very difficult to employ foremen or interpreters, for you must know that foremen or interpreters who are registered in my books can only be employed in the order in which they are registered.

'I am not an individual who would sell himself for $10 or $1,000, honesty before all, and my letter of June 16 speaks clearly on this point.

'With much esteem,

'ANTONIO CORDASCO.'

Q. Why did you not return the money?—A. I was waiting for a chance for him.

Q. You wanted his money the first thing?—A. He never asked for his money.

Q. Why did you say you had already returned it?—A. I just said we had that business letter I received this morning; I am ready to send the money to-night.

Q. I know you are willing, but you do not do it?—A. If you want to call Ganna he will prepare my cheque for the amount.

Q. You had better fill up a large one if you give back their money to all who ask for it?—A. I will give what is due to them. I am ready to refund the money to any man who calls for it; I want to get finished with this thing.

Q. So do I, because it has been hard work to get you to say you owed them any. How much money have you charged as having paid Mosco?—A. I paid Mosco in different ways.

Q. What was the sum you charged that was paid by the Canadian Pacific Railway?—A. Two or three months or four or five months.

Q. How much did you charge the Canadian Pacific Railway account; I read it Saturday?—A. $45.

Q. When was that paid?—A. This was last fall.

Q. What was that for?—A. Because he worked with me, helped me to handle a lot of men, met train.

Q. How many days did he work for you?—A. I think he worked a couple of months or more.

Q. Do you know how much you charged for him?—A. $1.50 a day.

Q. Did you pay him $1.50?—A. In different times, yes; not for that work.

Q. That work you charged the Canadian Pacific Railway?—A. Yes.

Q. Are you certain that you did not pay him more?—A. Not more than $1.50.

Q. Did you pay him the $1.50 charged to the Canadian Pacific Railway?—A. I did.

Q. Are you swearing to that?—A. Yes.

Q. Deliberately?—A. Yes.

Q. How much did you pay to Memme? Who is he?—A. An Italian foreman who lives at Sherbrooke.

Q. You charged as having paid him $30?—A. Yes, Your Honour.

Q. Have you got your book showing payment to Mosco?—A. I have not got any.

Q. How many steamship lines do you represent, Mr. Cordasco?—A. About 12 or 13.

Q. How long have you represented them?—A. I began some time last October, 1903.

Q. How many inward or outward tickets have you sold for all the steamers?—A. I think about 140 to 145.

Q. You remember those brought into Canada?—A. I sold tickets here from my office, 375 St. James.

Q. Do you know Angelo de Santis, 118 Canal Street, Buffalo?—A. Possibly I had a letter; I don't know him personally.

Q. Do you remember sending him this letter:—

'MONTREAL, Feb. 19, 1904.

'Mr. ANGELO DE SANTIS,
'118 Canal Street,
Buffalo, N.Y.

'I took note of the contents of your last letter and I enclose herewith a copy of the rules which have to be followed by those who, by their own free will, enter their name for the first shipments.

'But I do not take any responsibility to engage men as masons or stone cutters. I need this year nearly 10,000 men, but all of them must be able to work with pick and shovel.

'If you like you may engage men for the first shipments, but I do not take any responsibility, only take those men who give their name by their own free will, and send me the list of the names very clearly written with a mark that shows they have paid $1 each for office and inscription fees.

'Please enclose with the list the money order and I will enter their names progressively, and when their turn will come I will ask for them.

'Remember that I do not force anybody to give their names.

'The railway fare from Buffalo to Montreal has to be paid by the men, a free pass from Buffalo being given in July and August only, but then the season is short and the earnings little.

'Yours truly.

A. I think I saw this letter.

Q. Was this letter sent according to your instructions?—A. I think so.

Q. You will not go back on that?—A. Well, of course I cannot quite remember the whole letter.

Q. You say you remember the letter?—A. I remember something about it.

Q. Then it is your letter?—A. I did not write it myself.

Q. No, you only wrote to foreigners, those outside of the country. You always got your clerk to write what you wanted?—A. I was in bed for two months and my clerk showed me the mail that came in the morning and I told him to answer. Sometimes he answered one thing for another.

Q. When he went to your house he always brought you the letters?—A. Those which came from Montreal, and I told him to answer these, but to look out for anything that might be important.

Q. You told him how to answer?—A. How to answer letters not to put me in trouble.

Q. Did you expect trouble?—A. Well, he might write one thing for another.

Q. What kind of trouble were you expecting?—A. I do not know; he might write everything, saying send 10,000.

Q. Did you think he was doing this?—A. I do not know.

Q. You did not think he was a dangerous sort of man?—A. I wanted to be sure to protect myself.

Q. You rememeber this letter at any rate?—A. I heard this.

Q. At the time it was written?—A. I do not know if I was any better.

Q. You say: 'I took notice of the contents of your last letter and I enclose herewith a copy of the rules which have to be followed by those who, by their own free will, enter their names for the first shipments.'

Q. You remember that?—A. Not quite. I want to look at the letter. (Looks at the letter.) 19th February, I was just at that time in bed and did not write the letter. I think I just said to Mr. Ganna, this is the spirit of the letters you write them.

Q. And he brought all the letters he had received before for you?—A. All letters addressed to Cordasco he brought to me, to my bed.

Q. And he read them to you?—A. I did not do that myself.

Q. Yes, you did?—A. Yes.

Q. Told him to answer ?—A. Yes.

Q. Then you remember that letter from Angelo de Santis, 118 Canal street, Buffalo ?—A. I do not know, I might remember if I could see what is wanted.

Q. 'If you like you may engage men for the first shipments, but I do not take any responsibility, only take those men who give their names by their own free will, and send me the list of the names very clearly written with a mark that shows they have paid one dollar each for office and inscription fees.'

Q. You remember that letter ?—A. I remember every letter.

Q. That is what you told him to write ?—A. As far as that.

Q. You think that is right ?—A. So far as that is it is right.

Q. 'Please enclose list and money order and I will enter their names progressively and when their turn will come I will ask for them.'

Q. Is that right ?—A. Yes.

Q. 'Remember that I do not force anybody to give their names' ?—A. That is what I told Ganna.

Q. 'The railway fare from Buffalo to Montreal is to be paid by the men free, free passes being only given in July and August, but then the season is short and the earnings little' ?—A. So far as that goes it is correct.

Q. Will you go any further ?—A. Your Honour has got the letter you can see what is in it.

Q. You think this is correct; is that the way you instructed him ?—A. Well, a man reads letter first.

Q. You think he wrote that letter according to your instructions ?—A. I never told him to say 'I need this year nearly ten thousand men.'

Q. All the letter is right but that ?—A. I never authorized him to ask anybody for 10,000.

Q. 'But I do not take any responsibility; only take those men who give their names by their own free will.'

Q. That is right ?—A. Yes.

Q. 'I need this year nearly 10,000 men, but all of them must be able to work with pick and shovel' ?—A. I never instructed Ganna to ask for 10,000 or 5,000 or 15,000 men.

Q. Everything but that is right ?—A. I never authorized 10,000 men.

Q. This letter appears to have been sent dated January 26, 1904, to Luigi Scarcella as follows:—

MONTREAL, January 26, 1904.

Mr. Luigi Scarcella,
243 Rideau Street,
Ottawa, Ont.

SIR,—I reply to your letter of the 23rd inst., of which content I took note, but in this moment I do not know where I can find work for you.

Next season I shall be in need of 10,000 men, whose work will be a heavy one, and as I understand in your letter you do not like to work with the shovel.

In the beginning of March please to write again and I will see if I can do anything for you, but I cannot promise anything.

Yours truly.

A. Yes, sir.

Q. Also a similar letter dated Feb. 9, 1904, and addressed to

'Mr. Aristide Guerrieri.
P. O. Box 11, Mapleton Dep., Pa.

Your letter (without any date) I am sorry to say that I shall not be able to find any work that may suit you. I find work for thousands of men and this year I shall

be in need of 10,000 of them, but I need only men that can work with shovel and pick.

Yours truly.'

—A. Yes, sir.

Q. Now here are eighty-nine letters to people in the United States and one or two in Canada, written in January, February, March and April, in which you ask them to send the money and you will send them out according to the order in which their names are registered?—A. I never asked money.

Q. Never?—A. I never wrote letter telling them to send $10 or any dollars. These men write to me first, and I told them if you want to be registered in my books you will have to pay $1 for each man and an interpreter $10, and then I will call you whenever your turn comes, and do not come to Montreal until I send for you.

Q. Will you look at this and see if these names are correct. They are the names of men to whom you addressed letters for the purpose of having them send money, 89 I think I counted. These are the names of persons to whom similar letters were sent in January, February, March and April; 89 I find altogether ?—A. Well, I guess Your Honour is right.

Q. You think I am right ?—A. These letters I received I never asked for any money.

Q. You did not refuse registration without money?—A. They wrote to have work, and I said if you want to be registered it will cost you $1 for my trouble.

Q. Will you read this letter and to whom it is addressed; read it out aloud so that we may all hear it.

Montreal, January 27, 1904.

'Mr. Giuseppe Di Schiavi,

'151 Acorn St., Providence, R.I.

'I send you back your letter, which I cannot take into consideration, for I cannot enter your name in my books only on the same conditions as everybody else, which conditions I explained to you clearly in my previous letter.

Yours truly.'

Q. You would not register this man without money ?—A. No use working for glory.

Q. The dollar was the object in view. He wanted to enter his name without money?—A. He did.

Q. And you would not do it ?—A. No.

Q. There are several letters of that nature?—A. Probably, Your Honour.

Q. You would not enter without money?—A. Because I pay money myself and people have got to pay me.

Q. A number of foremen registered in November and December of last year, did they not ?—A. Yes.

Q. For this year's work?—A. Yes.

Q. They have not gone out yet?—A. That was not my fault.

Q. Some men registered in March and April this year?—A. Yes.

Q. Foremen with gangs?—A. Yes.

Q. They have gone out?—A. One or two.

Q. Why did they go out before the other men who had registered in November and December?—A. They had better gangs, and could supply better men than the others, that is my reason.

Q. Can you tell me which gangs were better than the others ?—A. Yes, I can, Your Honour.

Q. Tell me then, look at your book, I want to see?—A. I know the foremen and know what kind of men they have.

Q. Tell me the foremen who did not have good labourers ?—A. Get the book, Mr. Ganna.

(This testimony was here interrupted for a few minutes in order to hear a couple of other witnesses who had to leave.)

Mr. Joseph Alphonse Rodier, being sworn.

By Mr. Mowat :

Q. Are you a member of the Trades and Labour Council?—A. I would like better to have the questions put in French. I cannot perhaps make myself very intelligible in English.

Q. We can get along very well; it will take a little longer. Are you a member of the Trades and Labour Council ? I shall have no difficulty in understanding you, in speaking about your evidence, and think you may give it in that way ?—A. I cannot do that ; it is too serious.

By the Commissioner :

Q. What is the matter, Mr. Mowat ?

Mr. Mowat.—He does not want to give his evidence in English.

By the Commissioner:

Q. I am perfectly sure we can get along ; do your best, Mr. Rodier ?—A. I beg pardon, Your Honour, I want to know perfectly well.

Q. If you do not understand what Mr. Mowat asks let me know what your difficulty is and I will explain to you what I can?—A. But I cannot answer in English. Will you put it in French.

Q. Are you a member of the Trades and Labour Council ?—A. I am a member of the Trades and Labour Council.

Q. Answer all the questions you understand in English in that way ?—A. I cannot do that.

Q. You will try please ?—A. I will try, I am perfectly ready to try, but I know I cannot tell all.

By Mr. Mowat:

Q. Do you do editorial writing in the newspaper 'La Patrie ?'—A. Yes, sir.

Q. You have been for some years ?—A. No, for about eight months.

Q. Have you given your attention as a member of the council, a labour writer and journalist to labour questions in Montreal ?—A. Yes, for a long time.

Q. Have you formed any opinion as to the effect on the labour market by the sudden influx of a number of unemployed labourers ?—A. Yes.

Q. What effect in your opinion would that have on the scale of wages ?—A. To bring wages down, to diminish the salary.

Q. Is it your opinion that the labour market is sensitive to sudden changes?—A. Yes, I understand your question well.

Q. In the month of April there was a large number of Italians here who were ready to work and could not get it, what effect would that have on the scale of wages paid to residents of Montreal ?—It is very hard to answer that question in English; I could give a better answer in French.

Q. It is all right, Mr. Rodier.

By the Commissioner :

Q. You have been doing nicely, Mr. Rodier, please do your best ?—A. We have many organizations in Montreal, principally of labourers, who had the intention of asking more wages this spring, but when they found that we have so many strangers here they did not ask. I have heard many complaints that the Italians make low wages ; they work for lower wages than our people. I do not know if you understand.

Q. We understand you perfectly. Now, Mr. Rodier, as a man taking an interest in labour questions, when did you first hear about this immigration of Italian labourers to Montreal ?—A. I think, I am not quite sure, I think in April.

Q. From whom did you hear about it ?—A. I cannot remember; I saw many people in the streets.

Q. But before they came did you hear anything about their coming ?—A. Nothing at all.

Q. From no source whatever ?—A. I do not remember.

Q. The matter was never talked over between yourself and others ?—A. No.

Q. Never mentioned a scheme to bring a lot of Italians here ?—A. I do not remember.

Q. Just think if that was not talked over in your hearing ?—A. I do not think so.

Q. That is not very certain ?—A. Well, I do not remember; it is possible, but I do not remember.

Q. It is possible ?—A. Yes, because I speak every day about that question.

Q. That is the reason you are here giving evidence, because you know a good deal about that question. Can you tell me when you first heard that there was likely to be a large immigration of Italians into Montreal?—A. I do not remember that I ever heard before we saw some of them in Montreal.

Q. Not before then ?—A. Not before that.

Q. Did you not talk with any one who desired to get a large number into Montreal? —A. Not at all.

Q. Not at all ?—A. We talked in a general manner of immigration, not only of Italians; before that we talked many times and we saw by the newspapers and by what the Manufacturers' Association did and some circulars we received from England, we would have a big immigration this year.

Q. Where did you hear that first?—A. I heard that in the labour circles. They talked of that in their meetings.

Q. Any public men who are not in labour circles suggested that a large number of immigrants should be brought over?—A. Public men, what do you mean?

Q. You understand what a public man means, a man who takes an interest in public affairs?—A. In a general manner.

Q. Well, by any one besides labourers?—A. No.

Q. You did not hear from any other than from your labour unions?—A. No.

Q. The labour unions were not anxious to bring over a lot of men?—A. They did not want them.

Q. Who did want them?—A. The manufacturers, I suppose, and the great companies.

Q. Do not suppose, I want to know from your own knowledge?—A. I don't know only from what I have heard.

Q. That is what I want, from whom did you hear?—A. In newspapers.

Q. You understand, Mr. Rodier, this commission requires me to find out why so many immigrants came into this country at one time, and all the circumstances surrounding their coming in. That is the reason I am asking you these questions, to find out how these men came in here, to see what was the source from whence sprang this intention to bring a large number into Montreal at one time?—A. I regret I do not understand English very well. I did not hear that by any manufacturers or any others, but it was the subject of general conversation, and when I saw that in the papers, by documents I have seen in the papers, by documents coming from England, we saw by the advertising in the papers that we were going to have a large immigration to Montreal, that is what I know.

Q. That is the only source from which you knew that?—A. Yes, sir.

Q. Not from conversations that you had with public men, manufacturers or any others?—A. No.

Q. Then, can you tell me the result of such a large influx at that time upon the labouring class in Montreal. What was the actual result ?—A. They have only kept wages down.

Q. Were wages reduced in consequence?—A. I do not know that wages were reduced, but we are of the opinion generally that wages are lower here in Montreal on account of that immigration.

Q. How much are labourers receiving to-day?—A. Labourers receive $1.50.

Q. That is the usual pay?—A. Yes.

Q. What are Italians employed on the street railway getting?—A. I have not seen the books of the company, but many people told me that they receive only from $1.15 to $1.25.

Q. That is part of the duty of your committees to inquire into?—A. Yes, but I cannot go before the company to see their books. It is also very hard to get that from the labourers themselves when they are Canadians, because they do not want to tell us; they are afraid we are going to make a complaint against them.

Q. I agree with you there.—A. We tried many times to get information, but they have refused to speak.

Q. Or tell you what was the wage?—A. Exactly.

Q. That has been my own experience if a man gets $1 a day and if you ask him he says $1.50?—A. Yes.

Mr. Robert M. Hannaford, being sworn.

By Mr. Mowat:

Q. Are you an engineer?—A. Yes.

Q. Employed by whom?—A. By the Montreal Street Railway Company.

Q. How long have you been in that position?—A. I have been in that position for a year.

Q. Has the Montreal Street Railway Company been putting down new rails within the last six months?—A. Yes.

Q. Employing labour for that purpose?—A. Yes, sir.

Q. What is your scale of wages now—for track layers?—A. Goes all the way from $1.25 to $1.50, in some cases to $1.60 to old employees.

Q. Has that scale of wages changed since March last?—A. No.

Q. Always been the same?—A. Yes.

Q. For how long?—A. Ever since I have been with the company for about two years.

Q. Are you in a position to speak with authority as to this?—A. Yes.

Q. Was not the scale reduced this spring when this large number of labourers came?—A. Not with us.

Q. Was it in other occupations?—A. That I cannot speak about.

Q. Not on any of the lines, near lines?—A. None of ours.

Q. Did you employ some of these Italians?—A. We may have; I do not know. We did not go to any agencies.

Q. Who would know that?—A. Well, it is the men themselves, because the men themselves come to us to be employed.

Q. Who would know whether your company employed some of the Italians who came here this spring in such large numbers?—A. Some of our Italian sub-foremen.

Q. Have you got some of them yet on the line?—A. We have.

Q. Do you know what they were paid?—A. Sub-foremen?

Q. No, labouringmen?—A. $1.25.

Q. Not less?—A. No.

Q. No change made?—A. No.

By the Commissioner:

Q. How many hours a day do they work?—A. 10 hours, sometimes longer, overtime.

Q. Do they get paid for overtime?—A. Yes, the same as ordinary time.

Q. That is 12½ cents or 15 cents?—A. 12½ cents.

Q. Who get 12½ cents?—A. Ordinary labourers.

Q. How many Italians have you in your employment?—A. Well, roughly speaking, I would say we have about 300.

Q. And what do they receive?—A. Some of them get as high as $1.37.

Q. Foremen?—A. Sub-foremen.

Q. And ordinary labourers get 12½ cents an hour?—A. Ordinary labourers get 12½ cents an hour, although some of them get 13 cents, a sliding scale.

Q. Can you tell me how many of these Italians coming from Italy or from the United States have been employed by you?—A. That I cannot say without going over the pay-rolls and taking out our old men.

Q. How many old men had you last year that remained this spring?—A. Must have had 80 anyway.

Q. And you have 300 men?—A. About 300 now.

Q. What is the rate of wages in Montreal to ordinary labour in other departments?—A. I believe it is $1.50, that is paid by the city.

Q. But you can find plenty of men to work for $1.25?—A. We do that because we give the men more permanent employment than the city.

Q. What do you mean?—A. We give them snow shovelling in winter, almost continually.

Q. How many will you have in October next?—A. In October we ought to have about 125.

Q. How many do you keep through the winter?—A. That is a sliding scale, because Italians do not like to work in winter. Last winter they went out on strike.

Q. Do not like snow?—A. No.

Q. Do you know how this influx affected other trades where unskilled labour was required?—A. Not personally.

Q. You do not know personally?—A. No.

Q. You have no knowledge at all; have you made inquiries?—A. No.

Q. Well, you can get any number you wish at $1.25 per day?—A. They come to us; we do not have to look for them.

Mr. James B. Mack, being sworn.

By Mr. Mowat:

Q. I understand you are vice-president of the Dominion Trades and Labour Council?—A. I am.

Q. You for some years have given attention to labour matters?—A. For 22 years.

Q. I am told that you have a local council, and if I mistake not you are one of the founders?—A. Yes, one of the founders of the Montreal Trade and Labour Council.

Q. Will you state your opinion of the effect on the scale of wages in a city like Montreal, caused by the bringing in of large numbers of foreign labourers at one time?—A. The effect of bringing in large numbers of foreign labourers, in my opinion, would be a reduction in wages and probably prolonged hours of labour. When the labour market is flooded wages are not liable to increase, rather to decrease, and it is a benefit to capitalists or companies who employ large numbers of unskilled labourers to have a large immigration in order to have work performed at less cost.

Q. It is to the advantage of these companies to have a number of men available?—A. Certainly it is.

Q. What do you know of this large number of Italians who were brought here unable to get work in April last?—A. In my capacity of newspaper man, I saw large numbers going about the streets.

Q. You are a journalist as well?—A. I am labour editor of the 'Star.' In going about I am looking for information, and I met large numbers in our streets, parks,

crowds everywhere near the Windsor station, of men out of employment. I met Mr. Catelli one day in April. He said: 'Mr. Mack, we have a big lot of Italians in Montreal.' I told him I had seen them, and he asked 'what are we going to do with them, they are now in a starving condition?' I said: 'Mr. Catelli, you had better interview the mayor of the city. Our people will not have people starving in Montreal.' Mr. Catelli had an interview with the mayor, and held several meetings, and appeals to the public charity appeared in the papers every day, and after a time these people seemed to get employment and large numbers of them left the city. Italians came to the 'Star' in large numbers; they were anxious to get statements in the paper. They said they had been brought here by speculators, men who wanted to get from one to ten dollars for securing employment. They stated that they had been grossly deceived and they made these statements to us.

Q. You heard what Mr. Hannaford said here as to the scale of wages paid by the Montreal Street Railway Company; what is your opinion?—A. Well, I do not think that the Montreal Street Railway Company is not more generous than other employers of labour, and when they can get men for $1.10 they are not going to pay $1.25; that is not a business proposition. I do not know what the Montreal Street Railway pay people, but why should they pay the average man $1.25 when they can get the same for $1.15, that is not business.

Q. Can you tell the Commission of certain classes of labour wherein the wages did go down?—A. I have been told that in various classes wages have been reduced.

By the Commissioner:

Q. Mr. Mack, whose names did those Italians who went to your office mention in connection with bringing them from Italy?—A. They mentioned Mr. Cordasco and several others. At that time I was not so much interested in it as now.

Q. Did they tell you the methods by which they were induced to come?—A. They had been induced by letters, circulars and some of them cards, some on their own responsibility. These had wished to come to see if there were any good positions in Canada, more wages; no need for any man to be out of employment in the Dominion of Canada.

Q. Did you hear before they came if there was a scheme to bring out immigrants to Montreal?—A. For some time I have known that efforts have been made to bring men to Montreal. I know that a Mr. Leopold, who has offices at Charing Cross, London, England, has been very active in inducing men to come here.

Q. Does he reach to Italy?—A. I guess he reaches everywhere; he does a large business.

Q. We have not heard his name in connection with this influx?—A. Well, I am just telling you.

Q. Have you heard anything from any of our public men in Montreal that a large influx was to be brought into Montreal this spring?—A. No, sir. I have not heard from business or public men. I have heard in labour circles that efforts were made to bring out large numbers of men to this country in the event of trouble on the docks and large works going to be constructed.

Q. Just so. What is the minimum wage paid labourers in Montreal to-day?—A. I should imagine about 90c. or $1.

Q. You think that is the lowest?—A. I think so.

Q. And the maximum?—A. Of skilled labour?

Q. Unskilled labour?—A. Well, of course, there are three or four classes of unskilled abour; would you call dockmen unskilled labour?

Q. I think not, they have a trade. That requires special qualifications; could Italian labourers do that work?—A. No, they would be practically useless.

Q. They are good for the pick and shovel, such work as ditching, road-making, &c.?—A. I should imagine they would get all the way from 90c. to $1.50 a day.

Q. Are there many Italians without work in Montreal?—A. I am told quite a large number.

Q. About how many?—A. Between 500 and 1,000.

Q. Unable to get employment?—A. Unable to get employment.

Q. How are they supported?—A. They are supported by the Italian charity organization, by the central charity organization of the city, and they probably get a little work.

Q. Occasionally, so as to help them on?—A. Yes, they have no permanent work.

Mr. CORDASCO, re-called.

By the Commissioner:

Q. Do you know Signor Silvio of Portland, Maine?—A. I heard his name.

Q. Did you authorize this letter to be sent to that signor?—A. Yes.

Q. You authorized that letter to be sent?—A. Yes.

Q. You wrote:—

'MONTREAL, Jan. 28, 1904.

'Mr. FILAURIO SILVIO,
'101 Fore Street,
'Portland, Me.

'I received your letter in which you say that you want to pass your men in the list of Sabatino Sgamurra.

'I cannot do that for this Sgamurra is neither entered in my books nor has paid, as you and your men did, the office and inscription fees.

'If Mr. Sgamurra will send $10 as interpreter and $1 for each man, I shall enter his name in my books and I shall not have any difficulty in putting your lists together, for you have paid.

'The time when your turn will come I will call you.

'Yours truly.'

Q. You would not give another man the benefit of adding his list to a foreman who had already paid, and you demanded $10 more?—A. I asked.

Q. You demanded that $10 before allowing the lists to be put together. What paper do you advertise in in New York?—A. Well, I never advertised before, but about six months ago a party on a paper there wrote me a letter and asked me to give it an advertisement. I think it is named 'L'Operari.'

Q. Where is he? I think he is No. 4 Mulberry Street?—A. That is not the name, perhaps you have got another man.

Q. Capparelli?—A. That is the man.

Q. What is the name of his paper?—A. 'L'Operari.'

Q. When did you put your advertisement in that paper?—A. Five or six months ago.

Q. Have you got a copy?—A. No.

Q. Did he send you the paper?—A. Yes.

Q. Where is it?—A. I have not got it.

Q. What was the advertisement about?—A. Something about shipping money, same as advertisement in 'Corriere del Canada,' saying that I would place the men. I made that advertisement myself.

Q. On the 18th January, 1904, you wrote to Mr. V. Capparelli:—

'MONTREAL, Jan. 28, 1904.

'Mr. V. CAPPARELLI,
'4 Mulberry St., New York.

'I have received your letter and I beg to enclose herewith check for $10 on said advertisement, &c., as per agreement. Please acknowledge receipt.

'Please make an article speaking about the negligence of this Consul and Italian Immigration Aid Society.

'I am from San Donato Ninea, and Mr. Cordasco, the lawyer, is my uncle.

'By the same mail I am sending you my cut.

'Yours truly.'

Q. Always put your picture in?—A. I expect them to; I do not try to deny this, but this work was done by notary.

Q. Will you give me a copy?—A. Will you let Mr. Ganna get this.

Q. For this afternoon?—A. If there is one he will get it.

Q. When was this arrangement in writing made between Mr. Burns and you?—A. In writing, Your Honour; there was nothing in writing. When he was talking about taking $1 for the men?

Q. Yes?—A. It took place some time in the month of April or May.

Q. What time in April?—A. I cannot remember the date.

Q. You cannot remember the date?—A. No.

Q. Look at your accounts and tell me the date?—A. Some time in April, I cannot say the date.

Q. Is that the date, April 13th (handing paper to witness)?—A. Yes.

Q. That was the date?—A. That was the time he spoke.

Q. Now, you wrote Mr. Burns on the 29th April, in which you say:

'As you know personally that I do not receive any salary from your company, only paid by the day or by the hour, if some fees come to me from Italian labourers this is an honest deal and no one was or will be forced if he does not wish to do so.'

Q. Was that true; were you paid at that date by the day or by the hour as you mention in your letter of the 29th April?—A. He began to pay me by the hour, by the half day, and if I did nothing he gave me nothing.

Q. You understood that on the 29th April; look at that letter?—A. Well, that was made in April some time.

Q. And here you have made a charge on the 18th April?—A. I was not agreeing with this agreement.

Q. So that there was really no agreement?—A. Just a verbal agreement.

Q. I do not know who to believe, Cordasco or Cordasco's letter?—A. I did not know the nature of it.

Q. Now you say one thing in your letter and another in the accounts, which is correct. So you were still paid by the day?—A. I was paid even before April.

Q. You were paid by the day?—A. By the full day.

Q. That is what you are charging now?—A. Not going to charge anything now by the day. This must be stated, because I understand Mr. Burns told me he would not agree to give it.

Q. Was this $1 spoken of in order to give evidence to this Commission?—A. No.

Q. No trouble in your mind?—A. Nothing.

Q. Not to provide against trouble?—A. No.

Q. Mr. Burns has not paid you a single cent since. The reason why is because he had some trouble with that judgment and probably wanted to see how the judgment was going to work out. that is why?—A. He kept my money back anyway.

Q. So you were still charging up to the 29th April?—A. There is the letter there.

Q. And you say that letter is true?—A. Yes, I cannot pay expenses over $100 per month in office besides my house.

Q. How much in all?—A. About $300.

Q. $300?—A. With my wages, clerks and my office and everything in office probably cost more than $300 besides my house.

Q. Never mind the house. Did you not say that it was only $40 for the rent of your office?—A. $45 for Ganna, $90 for Cordasco, then Mosco and paying women for scrubbing.

Q. How long have you been paying Mosco?—A. Maybe couple of months.

Q. How had you paid him before?—A. I gave him so much by the job.

Q. How much?—A. Sometimes $1, $2 or $3 I cannot say.

Q. By the month?—A. It was not fixed by the month.

Q. How long have you been paying Mosco $6 per month?—A. Two or three months, I can give it to you.

Q. Two or three months?—A. Yes.

Q. And now you pay Mosco $6 per month?—A. $6 per week.

Q. Since when have you been so paying him?—A. Two months ago. Before that by the job, when working for Canadian Pacific Railway.

Q. Now do not say that?—A. I can prove it.

Q. That is not correct?—A. I say this, I have something to prove that. Mosco will not swear to that.

Q. Will you show me how much you paid Mosco in December?—A. There is nothing in the book, no entry.

Q. You always kept that sort of thing out of the book? You have no book to show it?—A. Nothing at all.

Q. You have some receipt attached to bill signed by him?—A. Before I had put them in.

Q. You have told him to swear that you have paid him $5, $10, $15, $20 before that?—A. Yes.

Q. Why did you tell him to swear that?—A. You can get Mosco at any time.

Q. I do not think that is quite correct, Mr. Cordasco, so far as Mr. Mosco is concerned.

Q. Mr. Skinner deducted some money from your wages or accounts for December last?—A. Yes.

Q. You raised some trouble about that?—A. Yes, sir.

Q. Is that the letter you wrote to Mr. Skinner?—A. Yes, I just got it. I am paid.

Q. That is the letter you wrote to Mr. Burns?—A. Yes, Your Honour.

Q. You complained about some $26 there?—A. I got $26.

Q. Mr. Burns directed Mr. Skinner to pay you?—A. Because it was due for getting the office cleaned, and I got the money back.

Q. But in so far as the other portion, he would not interfere?—A. Would not give me a dollar.

Q. In that you say that the money that you earned was for going to meet No. 8 and No. 2?—A. Yes, sir.

Q. Nothing more?—A. Looking after Italians, placing them in boarding houses.

Q. Not when you were sick?—A. Had somebody else.

Q. Did Francesco Cordasco work for the company?—A. No, Gagliardi.

Q. You wrote to Mr. Burns on February 8 last :—

'Dear Sir,—I have worked for you December, 1901, December, 1902, and I met only No. 2, and I was paid my five dollars without any trouble.'

—A. That is right.

Q. Just met No. 2?—A. Looking after men.

Q. You say : 'I met only No. 2 and I was paid my five dollars without any trouble'?—A. I did.

Q. 'Now, this year I was cut off $20 in October, $20 in November, and $66 in December, 13 days and Lancy puts all the blame on Skinner, so I can see that Skinner has went on like blind and crazy man. He went over my bill and cut off 13 days from one month, which I have worked the harder in the years.'—A. That is right.

Q. Mr. Skinner would not allow that even if Mr. Burns said so?—A. I don't know.

Q. He did not allow it?—A. I don't know how they fixed it up.

Q. You say that in 1901 you always got your five dollars even when you only met No. 2?—A. Yes, and looking after the men.

Q. Not much looking after men when meeting No. 2 ?—A. Have conducted men to boarding houses.

Q. Are these amounts for 1902 or 1903?—A. I think so.

Q. Five dollars for every day, Saturdays and Sundays, during six months?—A. Because I worked every day.

Q. Sunday and Saturday ?—A. Met the men every day.

Q. Will you kindly let me know what you were doing during the months of, say, April, May, June, July, August, September, October, November and December on any of these days ?—A. I cannot tell you.

Q. Can you tell me what you were doing on any of these Sundays ?—A. Met the trains.

Q. How long were you at train?—A. Sometimes they are on time and sometimes four or five hours late.

Q. Not on time in general?—A. I do not say that they are behind all the time; some days they are and we had to be there.

Q. How long would you be there?—A. To take men away from train?

Q. How long?—A. Take some time.

Q. How long ?—A. Some weeks men come on every train.

Q. What men came on No. 2?—A. Sometimes none.

Q. A great many times none?—A. Yes. I went there and came home and reported no men .

Q. That is five dollars. That is how you work up accounts against the Canadian Pacific Railway. How would the Canadian Pacific Railway know if they were correct or incorrect?—A. I put in my bill.

Q. By whom were they certified ?—A. I gave them to Mr. Burns.

Q. Mr. Burns certified them and that is how you made money easily during these years, getting five dollars a day for such work?—A. Probably there was translation.

Q. Now, is not translation an additional charge?—A. I get five dollars.

Q. Just for these days ?—A. Yes, sir.

Q. And yet you made an agreement that you were to get paid according to the number of hours you were working. This was done in 1902, and Mr. Skinner was the first one to carry that agreement out, to make you carry it out?—A. My agreement was, I had supposed——

Q. Mr. Skinner was the first man to object ?—A. Mr. Skinner was the first man who ever did the thing.

Q. This was in 1903, you were sending in your bills until Mr. Skinner cut some off ?—A. I have worked every day and got paid for it.

Q. Although a great number of times there would not be an Italian coming to the city of Montreal ?—A. Sometimes.

Q. A great number ?—A. I said some.

Q. I want you to give me something definite ?—A. If you want me to say, a few times.

Q. How many days ?—A. I cannot state.

Q. How many times did you translate ?—A. Very often.

Q. Who did this translation for you ?—A. Cordasco did not do it. Ganna put it in better English than I could.

Q. Do you remember Gaetano Lapatria ?—A. Yes.

Q. What was the trouble with him ?—A. He shipped two or three gangs the first time and then did not come to me at all, tried to go alone.

Q. He was a good man when you shipped him?—A. I say he was.

Q. He was a good man, was he ?—A. A nice fellow.

Q. A good worker, I mean ?—A. Yes.

Q. How much did he give you the first year ?—A. I do not remember, $10 or $20. This year he tried to get around me and not pay anything.

Q. He would not go to you, afterwards he went to the roadmaster direct ?—A. Yes, went to roadmaster.

Q. On April 23 you wrote to Mr. Burns about Mr. Lapatria?—A. I think so.

Q. Is this your letter ?—A. Yes.

Q. Did you write that ?—A. I wrote most of it and got Ganna to help me.

Q. This is how it reads :—

April 23rd, 1904.

G. E. Burns, Esq.,
Special Agent, G.T.R.,
Room 15, Windsor Street. (Di Patrick)

Dear Sir,—*Re* George Patrie, or right name is Gaetano Lapatria, as this Italian interpreter was in correspondence with Roadmaster Milloy, for some time and years as per orders came to my labour office, 375 St. James, and he brought 40 Italians to be engaged to work on the Ontario Division, and he made believe that all this crowd Italians each of them was working on the same division last summer. This is all wrong, and I found it out that very few did work for such master last year, and most of these 40 are new men, but Patries pretends they are the men who worked for him last year, and this is all lie.

Anyhow he forced me to take the 40 Italians and good many of these men are worthless, and I could give him a good body of labourers if I was to deal with my opinion myself. Some roadmasters are getting some fees from these young interpreters, and there is why call directly those Italians.

If the general manager of the Canadian Pacific Railway would witness all this work and see such people, Italian labourers that Mr. George Patrie takes with them, and I am sure he would fire out roadmaster, foreman and someone else. This man Patrie he tried his best and tried to force me to give a contract to a boy 16 years old, and this application was refused, because he was not strong enough to handle rails and other kind like. Patrie himself when he saw that I refused to give contract to the young man he promised him he would take him all same and guarantee full summer wages.

The information I give you and your company is only to do my duty and nothing else.

This crowd will go to-night to Sharbot lake.

Your Servant.'

Q. They did not pay ?—A. No, sir.

Q. Mr. Milloy hired them without their going through the books in your office?—A. I don't know.

Q. You said so. You got instructions from Di Patrick to give a contract which you would not, because they could not employ anyone who did not come through your office ?—A. I do not know.

Q. Then you wrote to Mr. Burns on April 29, 1904 :

'Dear Sir,—Attached you will find a list of names which they been left in Montreal and each of them worked under Roadmaster Milloy and Italian Interpreter George Di Patrick. He hired green Italians and charged each of them from one dollar up to two.

'This is another proof which shows that every one is charging, and Di Patrick he made believe his roadmaster and your company that he only hired the same gang of last summer.

'Your servant, A. Cordasco.'

Q. Then on May 21, 1904, you wrote this letter to Mr. Purns; look at the letter ?—A. I do Your Honour.

Q. You wrote this letter?—A. Yes.

Q. (Reading).

'Dear Sir:—

'What I can approach and think from Fred Tannents that most of the 27 Italians which they brought a law suit against Canadian Pacific Railway, are working on

the new shop track yard and Peter Lepere, chief leader of Alberto Dini he can be blamed as he tells everyone around that work that none of my men will be taken and given work even the old English foreman, Mr. McCarthy, is against and if Pietro Lepere could be dismissed from such work of the new shop then Dini would have no more chance and any of the Italian goes with a piece of paper signed by A. Dini work ready for him.

'I would be glad to go over there with you and I would be able to point and show good many new things.

'Your servant,

'A. CORDASCO.'

Q. You wished the foreman dismissed because he was employing men through Dini?—A. No, it was because——

Q. That is what you wrote?—A. Yes.

Q. Why want him dismissed?—A. Because he writes my men.

Q. Peter Lepere?—A. Yes.

Q. Where is he working?—A. For the Canadian Pacific Railway.

Q. And he took men through Dini?—A. That is the report I got.

Q. And you asked Mr. Burns to have him dismissed?—A. I did.

Q. So as to prevent him engaging men?—A. I had men myself waiting on the Canadian Pacific Railway, why take other men.

Q. There is another letter you wrote to Mr. Burns on the 21st May, 1904, you said:—

'Dear Sir:—

'For your information, Mr. Paul Christopher, Italian foreman, left last night for Megantic to work on the Canadian Pacific Railway track line.

'He hired 25 Italians and brought them with him and none of them signed any contract and as far as I can find out this morning by a relation of Mr. Christopher that pass was sent to him directly from Farnham sure.

'Your servant,

'A. CORDASCO.'

'P.S.—Funny thing to hear and stranger that Mr. Williams, superintendent, said that no labour was needed on his division.'

Q. Mr. Williams' division?—A. Yes, sir.

Q. You objected to these men being employed unless they came through your office?—A. No, for nothing at all.

Q. How many paid $25?—A. I cannot say.

Q. About 100?—A. If you say 10,000 or 15,000 of these men that came from the other side.

Q. I only want to know how many paid $25?—A. I cannot say.

Q. $50?—A. No.

Q. $25?—A. Maybe.

Q. You wrote this letter dated 10th May, 1904, to Mr. Burns:—

'Dear Sir:—

'*Re* Information.

'Arrived by way of Chiasso over 300 Italians and nearly 200 by New York. Sure will be a disgraceful for these poor emmigrants with the old ones which they put up here all winter and Italian Consul with his Society are to be blamed and they should be crushed to peace.

'Your servant,

'A. CORDASCO.'

A. Yes, sir.

Q. You also wrote Mr. Burns this long letter on the 21st March, 1904 ? (Letter produced.) —A. Yes, sir.

Q. It reads as follows:—

'Montreal, 21st March,1904.

'G. E. Burns, Esq.,
'Special Agent,
'Room 15, Windsor St. Station, C. P. R.

'Dear Sir:—

'As the opening of work is very near to supply labourers on the railway constructions and track work then I take the liberty as to inform you the way I furnish Italian labourers and charging of fees to each of labourers and each Italian interpreter or foreman.

'1. I do charge Italian labourers some times $3 some times $2 some times $1 some times nothing same thing for Italian interpreters according reason I charge each of them from nothing up to $15 according to ability of them if are able to pay.

'2. Each of them must satisfy me if he can take such charge and if he is competent to understand track work building grade and so on.

'3. No interpreter or labourer shall be employed by me for matter of fees only but must satisfy me if they are able to carry their agreement.

'4. I can make thousand of dollars according number of men I do employ and foreman or interpreter too. If your company C. P. R. takes from 3 thousand to 5 thousand labourers and foremen too then between ten thousand or more can be made this amount will be my expense with clerks filling contract book helping to check their baggage for the destination point to help me put men aboard train helping to meet them at arrival of different train to load provisions to take them along to such point and lots other expenses which I allway pay out to people while working under my instruction and every shipment I make must never mist on my part everything must go same as a clock.

'5. As you well informed and you have witnesses the way I do handle my labourers then I let you and authorise you to deal with your chiefs to decide and make me my honest and hard work value.

'I agree to supply your Honorable Company from one man up to good many thousands Italian labourers according orders and have each of these Italian labourers and each of the interpreters to well understood and to explain each of them the contract which they may sign in their own way in Italian so as to avoid trouble unless some one may put in claim for no reason or he may be unting up from some sun fish which they have no business in their hent and working for trouble only.

'6. I have few thousands ready to go at any moment notice and your company will be supplied before anybody else first.

'Wishing to have my letter under your consideration and to be dealt accordingli.

'Your servant,'

'P.S.—If my letter will be considered I agree to put a sign on the window of my office saying no fees will be charged to the labourers going to work for the Canadian Pacific Railway Company.'

A. Yes.

Mr. John Leslie, being sworn.

By the Commissioner:

Q. Are you Auditor of the Canadian Pacific Railway Company?—A. Auditor of disbursements.

Q. As such what are your duties with reference to accounts that have been paid by the C.P.R.?—A. They all come under my supervision.

Q. Before they are paid?—A. Yes.

Q. You certify them?—A. I audit them.

Q. What do you mean by auditing them?—A. Well, I see that they are approved by the proper officers of the company, and the extensions and additions, &c., are checked in my office.

Q. Now, for instance, for March, 1904, in Mr. Burns' department, that is just one out of a number of similar ones which have been produced by Mr. Burns, has that been paid?—A. Yes, it is receipted.

Q. Before payment what is done to see if it is correct?—A. Do you mean in my office?

Q. Yes?—A. These bills are totalled, are footed and extensions approved and signatures of the officers examined.

Q. That is all?—A. Yes.

Q. You do not go into the accounts yourself?—A. No, that would be utterly im possible; we have about 13,000 accounts a month.

Q. Oh yes, I understand that, but on whom would you rely for the correctness of these accounts?—A. I would rely on Mr. Burns.

Q. For all these accounts?—A. Yes.

Q. You do not go behind him?—A. No.

Q. What is Mr. Burns' salary?—A. His salary is at present $200 per month.

Q. When was that commenced?—A. I think from the 1st of January.

Q. What was it before that?—A. $175.

Q. Have you the papers?—A. Yes. (Hands them to the Commissioner, who says: You might just leave these with me, I will return them to you).

Adjourned to 2.30 p.m.

MONTREAL, September 26, 1904.

COURT HOUSE, 2.30 P.M.

The Commission resumes.

Mr. CORDASCO re-examined.

By the Commissioner:

Q. You know Domenico Zappia?—A. I do not remember having seen him.

Q. Do you remember having received that letter from him dated January 27, 1904?—A. I may have seen it at the time I was laid up.

Q. Where is that from?—A. Staiti.

Q. Where is that, not in Italy?—A. No, I don't know.

Q. Look and see whether he tells you or not. Don't you think that is in Italy?—A. I don't think so.

Q. Ganna gave you that information, I suppose?—A. He may have.

Q. Ask him if he can tell you?—A. I do not know whether it is from the States, is it Ganna?

Mr. GANNA.—It is from Italy.

The WITNESS.—It must have been a strange name to me.

By the Commissioner:

Q. You can read that, I suppose?—A. If you give me the letter. (Reads):—

'Mr. Antonio Cordasco, 'Staiti, January 27, 1904.
'Railway Agent, Montreal Canada.

'Although I do not deserve to have the honour to be acquainted with your highly respectable person, I take the liberty of writing directly to you asking you a favour.

'As there are here about seventy men who wish to emigrate to that country, I wish you would be kind enough to receive my countrymen passengers on their landing in that part, and tell me which will be the best spot where they can be visited.

'In obliging me with a favour answer, please tell me when the works under your control will be started. I was pushed to write this letter by the noble and good reputation your name enjoys in this country. Please let me know which will be the best landing port on account of the visit.

'If I shall be able to reciprocate such an obligation I offer you my services if you will please yourself and command me.

'Please accept my unlimited gratitude, &c.

'Yours,

'DOMENICO ZAPPIA.'

'P.S.—I wish to know how much costs there, via New York or Boston.

'I beg you to answer me at once, otherwise I cannot make the men start. Please also let me know something about the age of the men, and if men over 60 years of age will be accepted; if they will be received by you and how they have to answer to the inquiries.'

Q. Do you remember receiving that?—A. I do not remember.

Q. What was your answer?—A. I do not know, I cannot say.

Q. See if it is in your letter book?—A. I have it here, March 2.

Q. You wrote him on March 2. Look at that letter and see where is Staiti. It is in Calabaria, is it not?—A. I cannot say.

Q. Look at your letter, what is the man's address?—A. In Calabria.

Q. You issued a number of tickets for Calabria?—A. I cannot say.

Q. You issued a number of tickets to come from Calabria to Montreal?—A. No.

Q. Look at your letter book and see?—A. What are the tickets, Ganna? I was laid up on March 2; I was not very well.

Q. You were always pretty well able to talk. Now, read that letter of March 2. (Reads) :—

'Mr. Domenico Zappia, 'Montreal, March 2, 1904.
'Staiti, Prov. Reggio, Calabria.

'Your favour is before me, and in short I will let you know anything you require. You may send to me as many men as you like and I shall be able to find work for them at $1.50 per day, board by themselves and the railway fare up and down free.

'Every man before he goes to work receives a contract that guarantees his pay, &c.

'You can make your men leave from March 20 or 25 via New York.

'If you will tell me exactly the day on which the men will leave Naples, with which company and steamer, I will send my agent to meet them in New York. He will put them on board the cars and send them to Montreal without any trouble and without falling into the hands of speculators. If they will land in Boston I will send my Boston agent to meet them.

'I am sending you a parcel of my business cards, which you will give to your men to be recognized at their landing in New York or Boston.

'*Re* the age of the immigrants, you must follow the Italian emigration laws that do not allow passports to people over 45 years old.

'Awaiting to hear from you,

'Yours truly,

'ANTONIO CORDASCO,

'Per A. Ganna.'

—A. I never knew anything about it, never spoke to anybody about it, never saw such letter.

Q. There is no 10,000 in that?—A. No matter, Your Honour, I never received such a letter.

Q. I received that letter from you?—A. Yes, I suppose.

Q. At your office?—A. You took all my papers.

Q. I got this letter out of your own hands. I asked you for letters received from Italy and you handed this to me. Do you not remember handing this letter to me? A. I do not remember.

Q. You stated a moment ago that you did not see it. I asked you for it and you handed it to me because I saw a letter to him from you in your letter book?—A. But I do not know this letter.

Q. How dare you deny. Be careful now in your answer, do not attempt to deny? —A. I do, Your Honour, I do not remember having given you the letter.

Q. Now, do you know a man Tommaso Monteverse, Civitanova, Marche?—A. Never knew the man, never heard of place.

Q. What part of Italy is that in? Where is Marche?—A. I don't know.

Q. Well, ask Ganna; he knows?

Witness to Ganna.—What province is this in?—Mr. Ganna.—Province of Rome.

By the Commissioner:

Q. This letter reads:—

'Montreal, March 3, 1904.

'Mr. Tommaso Monteverse,

'Civitanova, Marche,

'I have before me your favour of February 3, and I have recommended you to a good company, the Transatlantica de Barcelona.'

Q. That is the company you sold a number of tickets for?—A. Yes, one of them.

'If, as you write, there are many men who wish to come here you may address them to me, and for that purpose, in a separate registered parcel I send you some envelopes and business cards, and you may give one of these cards to each of your passengers, so when they land in New York they will show it and they will be addressed to me.

'In this season the works are enormous and every man will go to work with an agreement in Italian in which are explained the wages, how long the work will last, &c.

'Every working man earns $1.50 and more per day. He is at liberty to board himself and transportation free up and back. I am here to protect, defend and help the workingman.

'Now, you know how matters stand, and in the event of your going to send me some passengers, send me a list of their names and the name of the steamer so that my agent in New York may go and meet them.

'Yours truly,

'ANTONIO CORDASCO,

'Per A. Ganna.'

Q. Do you remember that letter?—A. I do not.

Q. That was taken out of your letter book?—A. I did not see that. Since your visit I never saw the letter book at all.

Q. Do you remember the last letter you received from Paretti?—A. I think I only showed you one.

Q. You were not sick then?—A. I do not remember.

Q. On May 8?—A. I do not think I was sick then.

Q. This letter you handed to me?—A. I told Antonio Ganna to stop all correspondence at that time.

Q. It reads :—

'UDINE, (ITALIA), May 8, 1904.

'Mr. ANTONIO CORDASCO, Montreal.

'In prompt reply to your favour of April 26, which has called my attention and surprise to the facts you have mentioned and which is in full contradiction with the other of the 6th of the same month, in which you complained that I did not send passengers addressed to you with your business card. Now, I must tell you that it is not my system, after 22 years' experience in emigration, to advise or not the passengers who are at liberty to do what they like. This is my principle.

'All our emigrants addressed to Canada were booked for beyond Montreal, and we are sure of that, for our companies do not give railway tickets beyond your residence.

'I gave the address to nobody, only to those who read your newspapers, full of promises. I answered giving good references of your firm.

'You must have great experience, and you must know that everybody can come and say what he likes, coming to you without a written line.

'Be sure that we are very careful, and we hope you will be too, and we quite understand when something happens that cannot be helped. This year everything has been against us, but we hope better days will come.

'Yours truly,

'PARETTI.'

—A. I never authorized anything with reference to this letter, never authorized Antonio Ganna or any other man.

Q. Do you know Joseph Guertin?—A. I do, Your Honour.

Q. A great friend of yours?—A. A good friend of mine.

Q. And you reported to Mr. Burns about him?—A. Probably I did, Your Honour.

Q. Reported in favour of his discharge?—A. Well,——

Q. Did you?—A. Probably I did.

Q. Because he had been receiving 50c. or so from the men?—A. 50c. He got $3, probably more than $3.

Q. You say 50c. in your letter. You got him discharged from the service of the Canadian Pacific Railway?—A. He told me 50c.

Q. On the 28th February last you wrote him and stated if he wished to go to Europe you could get him a pass?—A. Yes.

Q. On the 30th May you wrote to Mr. Burns charging him with having collected fees and suggesting his discharge?—A. I just informed him of the fees, as I had a report from Winnipeg from some Italians.

Q. From Franco Cordasco?—A. Franco was one of the witnesses, one of the causes of Guertin's trouble.

Q. Your trouble?—A. Not mine.

Q. Whose?—A. Joe Guertin's.

Q. Now I asked you before can you give me the names and times of applications for those who were first sent you, whether they were subsequent to those who first applied, can you give me names. Do you know Giacci?—A. Yes.

Q. When was he registered?—A. I think in March.

Q. He signed a note to you?—A. I think it is past due.

Q. It is not due. DelVecchio, do you remember him ?—A. He has gone.

Q. Had he ever been foreman before this morning?—A. He told me he was for two years.

Q. He was, in Boston?—A. No, on the Canadian Pacific Railway.

Q. He was on the Canadian Pacific Railway two years as foreman?—A. As workman.

Q. You sent him as foreman?—A. Yes.

Q. Then he had never been foreman on the Canadian Pacific Railway?—A. Not on the Canadian Pacific Railway; is he a Boston man ?

Q. Yes. It was not because he did not send his name?—A. When did he send his name ?

Q. Giacci sent his name some time in March, this man is registered some time in November?—A. What date ?

Q. November, some time in November. There is Giacci on 4th February. How is this?—A. Giacci told me that he had nothing to do any more, neither his brother nor himself.

Q. Will you look at page 24 and see about DelVecchio. What date is he registered?—A. February 9th.

Q. You knew he registered his name in November?—A. I entered his name on the 9th February myself.

Q. Are these all men who paid $3 marked $2 and $1?—A. Yes, some paid $2.

Q. They have not gone?—A. They have all gone; I think there is not one here.

Q. Any of those marked only $2 gone?—A. I think so.

Q. Well, make sure you have DelVecchio last. How many did he take away ?—A. About 45 or 50.

Q. There is Mighnelli, when was he registered ?—A. 16th December.

Q. He has not gone yet?—A. No.

Q. How many subsequent to his registration have gone?—A. 11 or 12.

Q. Subsequent to his?—A. Only two in this.

Q. Why did you not send him, because you could not, you had loaned this man money?—A. No matter.

Q. As a matter of fact you had; Boconcelli was one, he owes you $380. Who is the other one?—A. Mello.

Q. Nearly $400. So that they were sent out instead of the earlier men.

Q. This is the little constitution of Immigration Aid Society No. 1, which you wished to have read publicly as requested in your letter of the 11th July, 1904. Here is article 2:—

'Art. 2. The first object of the society is to assist and encourage Italian emigrants to come to Canada, the assistance to be given more especially as set forth in the following articles of this section.'

Then article 18:—

'Art. 18. Will provide a place of temporary shelter for such Italian emigrants who upon their arrival from Italy might be without friends or relatives, in Canada, to assist them as much as possible; or will advise them where they may find both board and lodging and such other aid, advice and attention as they may stand in immediate need of.'

Now article 51 says:—

'Art. 51. Count Francesco Mazza, Consul General of His Majesty the King of Italy for the Dominion of Canada, will be the Honourary President of the Society, for the time he will remain in Canada, to be succeeded by his successor in office.'

Q. That is what you wished me to read, that is all you asked here? (Showing witness letter.)—A. Yes, Your Honour.

Q. Have you paid Mr. Burns any money in connection with your employment ?—A. Not one dollar.

Q. Not one dollar?—A. No, sir.

Q. Have you paid any moneys to any person else?—A. As far as I am aware, there are a few dollars given when Mr. Guertin was here.

Q. Given to whom?—A. Mr. Guertin. At times $5; once $27. He took it all right.

Q. Did you make a present to any lady in Montreal on account of business relations ?—A. I do not remember.

Q. Will you swear that you have not?—A. I do not remember, I can swear that I do not remember. If you have anything to show, all right.

Q. Now, try and recollect about it ?—A. I cannot remember.

Q. Is that as far as you will go?—A. That is as far.

Q. If it is stated on oath that you have paid a lady in consequence of your relations with her husband in connection with the Italian immigration, will you deny it?—A. I never paid any money.

Q. To any lady?—A. Not that I remember.

Q. That is as far as you will go?—A. I do not remember having paid any money.

Q. Have you paid any money to a lady whose husband is an employee of the Canadian Pacific Railway?—A. I do not remember if I never lent 50c.

Q. Fifty cents, we are not talking about 50c.?—A. I never remember giving money to anybody.

Q. Not a larger sum than 50c.?—A. One or two dollars to Italians, poor men.

Q. Employees of the Canadian Pacific Railway?—A. No, sir.

Q. That is as far as you will go?—A. That is all I can tell.

Q. That is all I wish to ask you at present.

Mr. Nicola Mosco, being sworn. (Through interpreter.)

By the Commissioner :

Q. What is your occupation ?—A. I am working for Mr. Cordasco.

Q. When did you commence to work for Cordasco?—A. From last year until the present time.

Q. By the month?—A. I am working now by the week.

Q. When did you commence by the week ?—A. About two months ago.

Q. That would be the first of June to the first of May?—A. I forget, I think it is two months.

Q. Now, then, were you working for him before that?—A. Yes, was sent to Boston and New York.

Q. While you were in Montreal what were you doing for Cordasco?—A. Helping in any way, going to the station, helping every day, sometimes 15 days without work.

Q. Do you keep a boarding house besides working?—A. Yes.

Q. How many boarders have you?—A. Sometimes 30, 40 , 60. That is what I make the most money out of, boarding; he charges $2.50 a week.

Q. What were you doing last November?—A. Working for Mr. Cordasco, sent me to station.

Q. What was the rate of wages?—A. I think, $1.50 per day.

Q. You think that?—A. Yes, $1.50.

Q. Did you get paid $1.50?—A. When I worked he paid me.

Q. How often did you work in November? Did you work every day in that month?—A. I do not remember.

Q. Do you remember how much money you got in November?—A. Sometimes I got $5, sometimes $10. I forget now exactly what he gave me.

Q. Did Mr. Cordasco tell you last night that you must come here and swear that you got $45 in November?—A. No, sir.

Q. Did not Cordasco tell you that?—A. No, sir.

Q. Did you have a conversation with Cordasco this morning?—A. No, sir, I have not seen him at all.

Q. And how much money did you get for that receipt?—A. I gave the receipt for what I got.

Q. How many months did that receipt cover, $45?—A. Yes, I gave my receipt, I think for one month.

Mr. Burns re-called.

Q. You told me the other day that Mr. Cordasco got paid $5 for every whole day and a certain proportion for a lesser number of hours?—A. Yes, sir.

Q. Will you look at that account for May, 1903, and tell me exactly how many days he got paid for?—A. He got paid for the full month.

Q. Was he employed every day, full days, during that month. Look at the account :

1. Shipping 31 men, 2 bosses and foremen, hiring Italians for roadmaster at Toronto.
3. Filling up contract books and reports.
4. " "

A. I may say that takes a long time.

Q. By whom?—A. I suppose it is done in his office.

Q. By whom, by Cordasco?—A. By some of his staff.

Q. What are contract books?—A. They are duplicates of that plan of contract I referred to you.

Q. When are they filled up, before or after?—A. After.

6. Getting Italian labour.
7. Filling up contract books.
8. " "
9. " "
10. " "
11. Report *re* Italians.
12. Hunting up Italians for the west.
13. I do not know what that is for.

Q. You do not know?—A. I have forgotten.

14. Hunting Italians for west.
15. Getting Italians.
16. Hunting Italians.
17. Shipping 32 to Schreiber.
18. Brought in report *re* Italians

A. That was a special investigation.

19. Getting Italian labour ready for west.
20. " "
21. " "
22. " "
24. " "
25. " "
27. Hunting for Vancouver shops.
28. Hunting for eight Italians work in Vancouver.
29. Hunting up two men, both having cases against C. P. R., by order of Mr. Lancey.
30. Hunting up two men, for Mr. Laney.
31. Inquiring again for somebody to leave for Toronto to work upon a new building there.

A. I may state, Your Honour, that last year the work started a great deal earlier than this year and we were shipping larger numbers, and by this time last year we had started out over 2,000.

Q. And how many have you up to the present time?—A. About 700.

Q. His time was pretty well occupied Saturday and Sunday?—A. Yes.

Q. Does the account put in show the correct number of days he worked?—A. I presume so.

Q. And it was not until Mr. Skinner reduced the three months in 1903 that there was any difficulty about it?—A. There was an accurate check kept on Cordasco since Mr. Skinner has been put in the office; that is the reason he was put in.

Q. Mr. Skinner knocked $26 off his account for December, 1903?—A. Yes, I remember that.

Q. You thought that it was too late that he ought to be careful?—A. I thought Mr. Skinner made a mistake in not making a bargain before that.

Q. With Cordasco?—A. Yes.

Q. You wrote to Mr. Timmerman on the 18th May, I think you told me about that?—A. Yes, Your Honour.

Q. To discharge a man named Fonnero in your employ?—A. I asked to have him discharged a year ago last April.

Q. And you discharged him on April 15?—A. I asked to have him discharged.

Q. And on November 18, 1903, Mr. Guertin wrote you from Winnipeg : —

'As per my wire of yesterday, I have dispensed with the services of Albert Fonnero.

'Fonnero arrived here from the west on the 17th of last month, and as there were a great many Italians returning and we were having trouble daily around the station here, I thought it advisable to keep him here for a short time at least, and when not occupied with the Italians his time could be put in as watchman.

'He has done some excellent work here, and especially in that case at Portage la Prairie, and his assistance in Winnipeg has saved the company several hundreds of dollars. However, as per your request I have let him go.'

Q. What position did he occupy?—A. He was acting as agent for Mr. Guertin, my inspector at Winnipeg.

Q. The same as acting foreman ?—A. Yes.

Q. And he was charging the men?—A. I had no direct evidence of that.

Q. You had Mr. Cordasco's evidence, and he reported?—A. That was not the reason he was discharged; there were other reasons besides that.

Q. Was not that the reason Mr. Guertin was dismissed, matters relating to this Italian business?—A. Mr. Guertin was discharged for other matters outside of that altogether.

Q. You wrote to Mr. Guertin on November 24, 1903. He and Cordasco had some unfortunate correspondence between them.

Q. About this Mr. Fonnero?—A. Yes, Your Honour.

Q. You wrote in that letter :—

'So far as the men coming from the States is concerned, Cordasco gets nothing out of them whatever, and he is paid by me here for handling them.'

—A. I wrote that.

'The foremen who went out from here (Montreal) certainly did pay Cordasco a fee, which, I believe, in most instances is ten dollars, although he has received from a few fifteen dollars.'

Q. That is on November 24 last?—A. Yes.

Q. You have here stated that he does receive fees in the States?—A. If I have stated so I guess it was correct.

Q. His book will show you that?—A. I have never seen his book.

Q. Did the men report to you that any had paid?—A. From the United States?

Q. From the United States?—A. No.

Q. None of them?—A. No, sir.

Q. Do you remember Franceso Di Franco ?—A. I do not remember the correspondence with him.

Q. He applied for the purpose of supplying you with labour?—A. This was last April; I think he applied to the general manager.

Q. You remember he stated that he had paid money to Cordasco while he was in the United States?—A. No, Your Honour, I have no recollection of his making that statement. It is possible he may have in the correspondence. I do not recollect.

Q. You do not recollect that?—A. No, Your Honour.

Q. Are your bank accounts in these books, Mr. Burns?—A. In that one.

Q. Have you any other bank account but that?—A. None whatever. None for five years.

Q. These are your wife's?—A. Yes.

Q. Both of them?—A. Yes.

Q. I think you mentioned where she got money from?—A. As soon as she wants any money.

Q. All these moneys are paid by you?—A. Yes.

Q. Every cent?—A. Yes.

Q. Out of your own bank account?—A. I have no bank account.

Q. Had you a bank account?—A. No.

Q. None at all?—A. No, sir. Never had one for five years.

Q. Have you any account of expenses, cash expenses?—A. Well, I have a general account entered every day to know how I stand with the company and with myself.

Q. Will you let me see that one as well as your cash account, it is not for publication at all?—A. What account?

Q. Where you enter your receipts?—A. I have no such account; all I have is a statement of the moneys advanced to me by the company, and as far as other accounts are concerned, I keep no track at all.

Q. You say all moneys in this account are Mrs. Burns'?—A. Yes.

Q. And paid by you to her?—A. Yes, Your Honour.

Q. That is all I wish to ask you.—A. May I make a statement in regard to the evidence of Mr. Candori yesterday, Your Honour, or would it be more convenient later on.

Q. I do not know, I have not got through with Mr. Cordasco yet.—A. It is simply in regard to the statement that he made in relation to notifying me that Cordasco was overcharging.

Q. I have no objection to your making that statement now.—A. I admit that on several occasions Mr. Candori has come to my office and in my remembrance on one occasion claimed that there had been an overcharge by Cordasco, and I also admit that, as he stated, he told me that Cordasco was charging $1 for these tickets that were supposed to be given free by him for the return of Italians to the States, but I do state that in every case I made a thorough investigation, and that after the investigation was over I was not positive that the statements were correct and, in fact, I could have stated that every complaint ever lodged with me personally or with the people in my office in regard to the ill-treatment of Italians either by Mr. Candori or anybody else has always been looked into as thoroughly as possible, but Your Honour must know that in investigating these Italian cases there is great difficulty in getting at the truth.

Q. I have found that myself.—A. And I think if you will examine Mr. Skinner on that point you will find he will corroborate everything I say in that regard, that we took every precaution to ascertain whether these men had been overcharged. On one occasion I went straight to Cordasco and got a statement from him denying the charge and after warning him, as I always did, the matter dropped. Then as to Mr. Candori's statement that I said I did not care a damn what Cordasco charged as long as I did my duty to the Canadian Pacific Railway, I think Mr. Candori must have made a mistake; I think he must have said fees, regular fees under the old arrangement when I said I did not care what he charged. I wish also to make a few remarks in regard to the insinuations that have been made in regard to my being mixed up with these moneys.

Q. You stated that you heard that a year ago?—A. Well, I wish to offer some evidence which I think ought to convince any sane person conclusively that I had nothing whatever to do with this money.

Q. I have no objection to hear any evidence you wish, not the slightest objection?—A. When Mr. Mackenzie King, Deputy Minister of Labour, first came here to investigate the matter, he first came to my office, and I think it was Mr. Skinner who received him first, after which he went into Mr. Cordasco's office the following day. Cordasco asked me if this man had a right to come in there, and I replied saying that I did not

know whether he had a right or not, but he was the Deputy Minister of Labour, and if he had no right he could get the right, at any rate. You have nothing to conceal; it is an ordinary licensed labour office, and you had better give him every assistance in your power to help him out. So, acting on that advice, I think, Mr. Cordasco allowed Mr. King in his office, and Mr. King secured a good deal of the material on which Your Honour is conducting this inquiry.

Q. Do you think he got half of what was in that office?—A. Well, I do not know what he got, but at any rate he got something.

Q. Did you know that Cordasco would afterwards deny some of these documents?—A. I did not.

Q. He got Ganna to make a declaration that Mr. King had everything,, got everything and Cordasco had nothing ?—A. That is not exactly the point.

Q. That is what was there?—A. He would not have got anything unless Cordasco gave it to him. Well then in the next place you yourself came down here and if I had been interested and known that this state of affairs was going to be divulged, and if I had access to Cordasco's books and been personally interested in the matter it is quite certain that Your Honour would not have these incriminating documents here to-day.

Q. Are they incriminating to you?—A. No.

Q. Then why refer to them?—A. I refer to them, if I was mixed up in this matter.

Q. It is for you to judge, but you are no longer giving evidence, you are only arguing to prove your own innocence. It is for me to judge from the facts of the case whether you are guilty or not?—A. I asked to make a statement.

Q. I have to get evidence?—A. I wish to get in evidence that if I had not given every assistance in my power to help this investigation along and as far as I am personally concerned there is nothing to conceal.

Q. Did you state you had a cash account?—A. No.

Q. You say you did not keep any books?—A. I keep a record of what I do. Moneys received and moneys paid out.

Q. I would like to see that. Will you please come up to my room this evening.

By Mr. Internoscia.—Mr. Candori wishes to say something and would like to go into the box.

The Commissioner.—He can go into the box and give any evidence he wishes.

Mr. Candori.— 'I only want to say in answer to what Mr. Burns has just stated that he never said what I said in my last evidence. I may say that his statement was made to me one day when I applied to Mr. Burns' office, and we went down to see Mr. Cordasco. It was raining and Mr. Cordasco was not in his office and we were standing on the corner of Little St. Antoine and St. James streets, and he said to me exactly this: "I don't care a damn bit what Cordasco charges provided the business goes on thoroughly well." This is what Mr. Burns said to me at the corner of Little St. Antoine and St. James streets, and if I don't make a mistake it was on a Sunday that I made the complaint that Cordasco was charging $1 to men for free passes.

Mr. Tomaso Di Vendetti.

Mr. Mowat.—This witness came to me offering some evidence as to certain doings in connection with the employees of the Dominion Coal Company in which Frank Cordasco was foreman. I do not know what connection Frank Cordasco in that matter has with this investigation, but it will show how Italians were treated.

By the Commissioner:

Q. Is Frank Cordasco an agent of his brother Antonio ?—A. Yes.

Q. If he is an agent, then that will answer the purpose.

By Mr. Mowat to witness :

Q. Were you employed in the coal company?—A. Yes.

Q. At the same time as Cordasco?—A. Yes.

Q. Do you know that each pay day a certain amount was deducted out of your wages?—A. Yes.

Q. How much was taken?—A. If you were making over $10 you had to pay $1 per week to Frank Cordasco or some other agent.

Q. Where was this?—A. Down here on the wharf.

Q. You saw that, at what period?—A. Last year during the summer from May to November last.

Q. How many men?—A. About 60 or 70.

Q. You were foreman there?—A. Not in his gang. I had nothing to do with that.

Adjourned until 10 a.m., July 26, 1904.

MONTREAL, July 26, 1904,
COURT HOUSE, 10 a.m.

The Commission resumes :

Mr. BURNS, re-called.

By the Commissioner :

Q. You handed me your bank books, Mr. Burns?—A. Yes, sir.

Q. You have not kept a personal bank account for some years until July of this year?—A. No, Your Honour.

Q. The only bank accounts were those of your wife ?—A. Yes, Your Honour.

Q. And moneys paid by her are those paid her by you?—A. They were.

Q Any other sums?—A. Not that I am aware of.

Q. Are you aware whether she has received other sums than those paid by you?—A. Not to my knowledge.

Q. You would know if she had?—A. Yes.

Q. Would you remember when she commenced to keep a bank account?—A. In the spring of 1903.

Q. I see from her bank account that the first deposit was made on April 18 of $100?—A. I knew it was early in 1903 when the account was kept.

Q. That sum you paid her?—A. Yes.

Q. You received at that time $175 per month?—A. I did. Your Honour.

Q. This sum was received by you in cash from the Canadian Pacific Railway?—A. Yes.

Q. Then you did not deposit any cheque?—A. No.

Q. Then I find on May 8 she deposited $140, and on May 27 $100?—A. Yes.

Q. Where would these two sums come from; these two sums form a larger sum than your salary?—A. I did not draw my salary.

Q. You did not overdraw?—A. Well, sometimes.

Q. These two sums would amount to more than your salary?—A. It is possible, I cannot explain that, Your Honour. It is possible I may have had some funds on hand.

Q. Then on June 2 she deposited $200 ?—A. June 2 ?

Q. 1903. That is a larger sum than your salary, too?—A. I have no recollection of that. It is possible I may have had some funds on hand from the previous month.

Q. Do you know why you made that payment?—A. I cannot tell at the present time.

Q. On July 10 $100 deposited?—A. Yes, Your Honour.

Q. In August she also deposited $100?—A. Yes, Your Honour.

Q. In September deposited $160? In October $70. I suppose you would be buying your coal about that time?—A. I do not know, I cannot remember these amounts.

Q. But these are amounts in the bank account?—A. I know when my wife wanted money she told me and I got the money. If she wanted $10 or $100 I tried to get it.

Q. Had you no other resources than your salary?—A. No, only I always had certain amounts of money on hand for railway expenses.

Q. Belonging to the Canadian Pacific Railway?—A. Yes.

Q. Would not likely use that?—A. I hardly think so; I might have at periods a few dollars.

Q. That is the only way you can account for it?—A. The only way.

Q. November $120, December $160, January, 1904, $225. This is again larger than your salary?—A. What dates in January?

Q. 7th, $25; 30th, $200?—A. That of 30th was my January salary.

Q. In December you gave her $160, and in January $225, and in February only $40?—A. It was that I was short in January.

Q. In March, 1904, you gave her $120, $31 and $90, that is $241 in March of this year; in April you gave her only $60; in May you gave her $130, in June you gave her $210, in July $50, and you deposited $150, that is again more than your salary for July?—A. Well Your Honour, I cannot say how much I gave her every month; have you the total amount.

Q. I cannot add that because you did not give her all your money?—A. No.

Q. I should imagine so?—A. I never kept track of it.

Q. You always had money yourself, after giving her some?—A. Yes.

Q. These are sums I have read out of the bank book?—A. I did not examine the bank book before I came here except the total referred to.

Q. Because you did not give all your salary?—A. No.

Q. So besides these sums you had something more?—A. I always had money in my pocket.

Q. And in July you deposited $150; gave her $50 and also deposited $150?—A. In July?

Q. This month?—A. I have forgotten, she asked me for money and got it.

Q. But I mean your own deposit?—A. That $150 is apparently made up of balance of fund belonging to the company and apparently another amount.

Q. You got a cheque for $200 then?—A. That formed no part of the $200.

Q. Did it not?—A. No.

Q. Did you not deposit that $200 in your own account?—A. No.

Q. I don't know, it is deposited in your bank account on 5th July $150, 4th July Mrs. Burns $50?—A. Would not that be some other transaction?

Q. No, no, the same transaction?—A. A part of that $150 was part of my salary. I do not know, and part was what I had left over in advances I got for certain reasons.

Q. 11th July $7 and 18th $20?—A. The $7 was a balance and I think the $20 was a loan paid back.

Q. These are the transactions between you and your wife?—A. Yes.

Q. I have just gone over your bank account and you state these are the sums you have paid to Mrs. Burns. Have you purchased any real estate lately, Mr. Burns?—A. No, sir.

Q. That is all I want from you; these are your bank books.

Q. Then as to your statement with reference to the number of people employed; would you just read that out.

The witness reads:—

STATEMENT OF MEN EMPLOYED.

By nationalities:

English	1,897
French	268
Italian	3,144
Swedes	262
Norwegians	162
Danes	91
Fins	138
Galatians and Doukabours	1,941
Germans	69
Hungarians	16
Austrians	24
Russians	26
Swiss	1
Greeks	55
Poles	19
Japanese	460
Jews	1
Unclassified	2
	8,576

Q. Up to this time last year, Mr. Burns, how many Italians had you employed through Cordasco?—A. Well, I cannot give you the exact numbers, but approximately I can tell. I think we started to ship them in 1903 on the 17th March and by May we possibly had 2,000 men.

Q. As against how many this year?—A. 711.

Q. What was the reason for the difference?—A. The principal reason is that the spring was very late. Contract labourmen on the Canadian Pacific Railway could not start away to work until late in the season in any year, but owing to the severity of the winter of 1903-4 contractors were not shipping until late in the season and our first shipment this year took place early in April, whereas the big shipments of 1903 to British Columbia started on the 17th March.

In the second place, there was a large number of immigrants, chiefly Galicians, found their way into the North-west during the spring of this year, and I believe that upwards of 2 000 were employed locally at Winnipeg and distributed over the line. Most of these immigrants, as I said, were Galicians. In the previous year there was no immigration to any extent, and the result was that this year a good many Italians were not hired in the spring.

Q. Do you know how other railroads were affected with reference to Italian labour, were they employing any or as many?—A. I do not know how many they employed. I think there was a number shipped from Montreal.

Q. From reports, I think there were just a few hundreds as compared with last year?—A. I think they shipped out large numbers last year, especially the Grand Trunk, who were double tracking.

Q. You might just leave that statement here?—A. All right, Your Honour.

Mr. GANNA, being re-called.

By the Commissioner :

Q. You heard the evidence of Mr. Cordasco yesterday with reference to the letters written to the States, Mr. Ganna?—A. Yes, sir.

Q. Did you write the letters that I produced?—A. No, I think the typewriter wrote them. They were written by Geoffré and addressed by him. I gave only one copy.

Q. Who instructed you as to the tenor of these letters, as to the words that you wrote to these parties?—A. Oh, well, the instruction was only given by Mr. Cordasco the first time for one letter, and I then knew the others, because the letters were just the same.

Q. There were different letters, there were some letters saying that he would not accept names of applicants unless they were accompanied by the money?—A. He said he would not accept their names unless accompanied by the money. We acknowledged receipt of money in others and told them they would go out at first shipments according to our registers.

Q. Who instructed you to answer these ?—A. Instructed by Mr. Cordasco.

Q. In every case?—A. Only in one case, that was enough for these letters.

Q. Do you remember writing a letter to Tomasso Monteverse on March 3?—A. Yes.

Q. Who instructed you to write that letter?—A. I have given instructions for that letter, but Cordasco was in the office that day. I am not sure that he did come down on March 3.

Q. Did you show him the letters as you wrote them?—A. I never showed the letters, but they are put in a basket between my desk and Mr. Cordasco's and sometimes he saw the correspondence, but I do not know if he saw that letter.

Q. Do you remember writing a letter to Domenico Zappia, Calabria?—A. Oh, yes.

Q. By whose instructions did you write that letter?—A. He did not give instructions; I signed that because I knew what must be the answer to this. He had formerly given me instructions and I referred to them.

Q. And in consequence of that, I understand that you wrote all these letters?—A. Yes.

Q. Do you remember this letter from Domenico Zappia?—A. Yes, Your Honour.

Q. Who received that letter do you remember?—A. I never received the correspondence; Mr. Cordasco opened the correspondence, read it, and gave it to me.

Q. Did he tell you to write an answer ?—A. Yes, in some cases he said say this, give this answer, or give just the same answer as to the others.

Q. That is what was done?—A. Yes.

Q. Do you remember writing this letter to Zappia?—A. Oh yes, I wrote it.

Q. Is this the English of that?—A. I cannot tell.

Q. You look at the Italian and I will read the English:—

'MONTREAL, March 2, 1904.

'Mr. DOMENICO ZAPPIA,

'Staiti, Prov. Reggia, Calabria.

'Your favour is before me and in short I will let you know anything you require. You may send to me as many men as you like and I shall be able to find work for them at $1.50 per day, board by themselves, and the railway fare up and down free.

'Every man before he goes to work receives a contract that guarantees his pay, &c.

'You can make your men leave from the 20th or 25th March via New York.

'If you will tell me exactly the day on which the men will leave Naples, with which company and steamers, I will send my agent to meet them in New York. He will put them on board the cars and send them to Montreal without any trouble and without falling into the hands of speculators. If they will land in Boston I will send my Boston agent to meet them.

'I am sending to you a parcel of my business cards which you will give to your men to be recognized on landing in New York or Boston.

'*Re* the age of the immigrants, you must follow the Italian emigration laws that do not allow passports to people over 45 years old.

'Waiting to hear from you.

'Yours truly,

'ANTONIO CORDASCO,

'Per A. GANNA.'

Q. Did you send Cordasco's cards with the letter?—A. I think so; I never told him when I sent cards in the letters.

Q. How many business cards?—A. 12 each.

Q. Who is the agent who would meet them in New York?—A. Send an agent to meet any people he supposes are coming.

Q. Who is Mr. Cordasco's agent in New York?—A. I do not know.

Q. Aiello?—He is agent sometimes, he goes to meet people brought to New York, Aiello or some other people.

Q. He writes to the agent of some steamship company to meet them and send them over here?—A. Yes, there is a man named Polynesia.

Q. Where is he?—A. In New York. He is a regular agent for steamships, general agent.

Q. You wrote, 'I will send my agent to meet them in New York'?—A. Some agent, you will understand the general steamship agent.

Q. Is he Cordasco's agent too?—A. Yes.

Q. Has Mr. Cordasco a special agent?—A. Nothing but the steamship agent.

Q. So it was necessary to know the company before notifying your agent?—A. You can ask the general steamship agent to meet the passengers.

Q. And who brought the men from New York to Montreal?—A. No one.

Q. Do you know any one who came over from New York to Montreal, brought here?—A. By Mr. Cordasco, no.

Q. By whom?—A. They came alone.

Q. How many came from Calabria here?—A. I think in Montreal direct from Italy, there did not come more than three or four from that province.

Q. From Calabria?—A. Yes.

Q. That is as far as you will go?—A. Yes.

Q. How many came here from Chiasso?—A. That is another question, from Chiasso there came about 18 or 20, having business cards printed by Mr. Cordasco.

Q. Printed by Dini?—A. None.

Q. Who do you think they were sent by, Ludwig, for Cordasco?—A. Yes, he sent his paper to about 20 young men coming to Montreal. Mr. Cordasco wrote the men last October, I do not recollect the date.

Q. Do you remember who wrote?—A. Well, I wrote.

Q. How many came from his district through Paretti?—A. I know of 12.

Q. How many came?—A. In the office direct from Paretti, 12.

Q. You have got the names of 10 and they all say they came in consequence of Cordasco's cards and circulars. These men stated that they signed a declaration to that effect, do you know that?—A. Well, perhaps, I do not understand what you say.

Q. These men signed a declaration stating that they came to this country in consequence of circulars and cards from Mr. Cordasco?—A. Because they were receiving newspaper sent by Mr. Cordasco?

Q. Yes.—A. They may have said that. I remember they said they had read in some newspapers some advertisements of Mr. Cordasco.

Q. Here is what ten Italians signed, Mr. Ganna, in Montreal on April 22 last :—

'We, the undersigned, declare as follows : That at the moment of leaving for Canada, Mr. Antonio Paretti has read and shown us a letter signed by Antonio Cordasco, in which he asks for 8,000 or 10,000 labourers from the province of Venete, and in which he promises immediate work as soon as we go to destination. Besides this, we saw circulars and newspapers coming from Montreal, while the photograph of Cordasco circulated in our province encouraging the labourers to emigrate to Canada. Besides that, Paretti distributed the address of Cordasco as above.

(Signed by ten Italians.)

'Montreal, April 22, 1904.'

—A. I remember that very well, because they came to the office and afterwards went to the immigration office, and told them; I remember that very well.

Q. Will you look at your letter book, page 60, Mr. Ganna, November 4, 1903?—A. Yes, Your Honour.

Q. Can you read that?—A. I cannot read; it is very bad copy.

Q. How many Italians does he say there?—A. 6,500.

Q. Is that the letter of November 4, 1903?—A. Yes.

Q. Cannot you read that; what does it say, about 7,000?—A. I cannot read it.

Q. This is the letter :—

'MONTREAL, November 4, 1903.

'GEO. A. RINGLAND, Esq.,
'General Passenger Agent,
'Canadian Pacific Steamship Line, Atlantic Service,
6 St. Sacrament St., Montreal.

'DEAR SIR,—I hereby beg to apply for an agency for second-class steamship tickets for your line.

'I represent nine different lines, as per the attached list, and I think I could do considerable business with your company. I do not refer to business to Italy, but I have had a number of inquiries for tickets to Liverpool and London, and I think I could sell a good many for you.

'For references as to financial standing, please refer to the Dominion Bank, or if you require a bond, I am willing to put it up. I will also refer you to Mr. G. E. Burns, chief of the labour department, for whom I have been supplying men for a number of years.

'I also supply men for the Grand Trunk and a large number of contractors and railway companies in Canada, and in the course of the year get in touch with probably 6,000 or 7,000 Italians.

'Will you kindly let me know what you can do for me in the above and oblige,

'Yours respectfully,

'A. CORDASCO.'

—A. I did not write that letter.

Q. Whose signature is that to that letter in the letter book?—A. That is Mr. Cordasco's own signature.

Q. That is on November 4, 1903?—A. Yes. I have a letter here written on November 14, 1903.

Q. What steamship line does he write to there?—A. This is a French line; I wrote this letter from a copy he gave me.

Q. You wrote that letter for him?—A. Yes.

Q. He wrote it first and you copied it for him?—A. I think so, I have copied this for him.

Q. This is the letter :

'MONTREAL, November 14, 1903.

'Compagnie Générale Transatlantique,
'General Agency for Canada,
'1672 Notre Dame Street, Montreal.

'GENTLEMEN,—I hereby beg to apply for the third-class rate steamship tickets for your line. I represent nine different lines as per the attached list, and I think I could do business with your company.

'I have a number of inquiries for tickets and I think I could sell a good many for you.

'For reference as to financial standing, please refer to Dominion Bank or Hochelaga Bank, or Toronto Bank. I will also refer to Mr. G. E. Burns, chief of labour department of the Canadian Pacific Railway Company, for whom I have been supplying men for a number of years.

'I also supply men for the Grand Trunk and a large number of contractors and railway companies, &c., in Canada, and in the course of the year I get in touch with probably 6,000 or 7,000 Italians.

'Will you kindly let me know what you can do for me in the above and oblige,

'Yours respectfully,

'ANTONIO CORDASCO, p. A. GANNA.'

Q. Do you remember whether he got the agencies for these companies?—A. Yes, a few days after, I think about 10 or 15 days.

Q. So this was before he wrote to the people in Italy for 10,000 men?—A. I do not remember the date of that letter.

Q. These were in November, 1903, and your letters were early in 1904? It was in March, I think, the last of February or beginning of March.

Q. Have you that letter to Franco in June?—A. Franco?

Q. In June, 1904, last letter I read yesterday?—A. Vincenzo Franco, Boston, page 223, it was in Italian.

Q. I would like to get a translation. You can give me this cheque sending money back to the same correspondent? He has not sent it yet?—A. Yes, he told me.

Q. You better show it to me before sending?—A. Yes, Your Honour.

Q. I would like to get a copy of that letetr. (Showing letter)?—A. This afternoon.

Q. How soon?—A. Two o'clock. What time do you want it?

Q. As soon as you can make it?—A. All right.

Q. That $20 referred to in Franco's letter was received from him because he wanted a position as foreman?—A. Yes.

Q. How high does Mr. Cordasco go in his demands for money for getting positions as foremen?—A. Nothing, he wrote himself and sent $20 instead of $10, because he hoped to get work before some others.

Q. Because he wanted to get work before others?—A. Yes.

Q. Do you remember the largest sum that was paid Mr. Cordasco?—A. This $20.

Q. In your time?—A. In my time, yes.

Q. Then you wrote a letter also to Tomasso Monteverse?—A. Yes.

Q. On the 3rd of March, 1904; look at letter book?—A. I think so.

Q. You produced this as a letter you wrote, this was written acording to Cordasco's instructions?—A. Same as the others.

Q. Who is Nicola Maroni?—A. I do not remember now, because there is one Maroni in Montreal.

Q. Do you remember Nicola Maroni?—A. He had seven or eight steamship offices in Montreal.

Q. Is he here now?—A. Not at present, in January or February

Q. Who were the men he brought out?—A. This I cannot tell.

Q. You do not know?—A. No, he came to the office.

Q. Was he a foreman?—A. I do not think so, he is not registered in Mr. Cordasco's book as foreman.

Q. How did he come to send over so many men?—A. I remember he came twice.

Q. Did he come in the same ship as Boconcelli?—A. Perhaps, one time I think he came with Boconcelli, I am not sure. Yes he came about the same time.

Q. Came on same day, on the 11th January?—A. In January, yes.

Q. Do you know how many tickets he purchased?—A. I cannot tell you exactly.

Q. Boconcelli and Maroni, there are seven marked there?—A. Yes.

Q. Do you know how much he charged these men going out?—A. I do not know what Maroni charged.

Q. Probably the same as Boconcelli, they were together?—A. Some people have told me that Boconcelli charged $60, but I do not think this is true.

Q. From the men who came out?—A. No, because I had no occasion to ask this of Boconcelli.

Q. Mr. Boconcelli told that to Mr. Cordasco, that was what you heard?—A. Yes, perhaps.

Q. How many men are now in Montreal, how many Italians unemployed?—A. I do not know, very few.

Q. How many have come to your office asking for employment within the last two or three weeks?—A. Only about 300 men.

Q. Still unemployed?—A. Yes.

Q. You were asked to pay their money back?—A. Some asked for their money, others for work.

Q. You think 300?—A. No more.

Q. How many are you sending out this morning?—A. They leave to-morrow morning.

Q. How many?—A. 118 and I think to-morrow night about 75 and day after to-morrow some more.

Q. Almost 200 in two days?—A. Yes.

Q. Where are you sending them ?—A. West; I have not seen the contract, at Winnipeg.

Q. On the Canadian Pacific Railway?—A. Yes, on the Canadian Pacific Railway.

Q. I am glad you are doing it; this is an improvement. These notices that were printed, did you get them at Mr. Cordasco's request?—A. These, I have read these.

Q. And wrote them?—A. I do not know; I think Your Honour can get the manuscript and find it is not written by me.

Q. Where is the manuscript?—A. I think at the printers.

Q. Well, then from what I can see you did not write them, and Mr. Cordasco was wrong in saying you did?—A. Yes, I did not write it.

Q. There are some things you have not done. I think that is all, Mr. Ganna.

Mr. BURNS, re-called.

By the Commissioner :

Q. This is a receipt showing you have paid for advertising in *La Patria Italiana* ; do you remember what the 400 copies of the paper were for ?—A. I think I had them distributed all over; we were very badly in need of men at that time.

Q. You heard the evidence of Mr. Ganna about sending out 200 men within the next day or two?—A. Yes.

Q. By whom were they directed to be sent out?—A. Through my office, and the instructions were to send out all the men possible out of employment.

Q. And any who paid money to Cordasco illegally, as the evidence showed?—A. My instructions were that he was to refund it; I do not know whether he has done so or not yet.

Q. How much money do you think he ought to repay them?—A. I do not know.

Q. Do you think $4 a head too much to compel Mr. Cordasco to refund?—A. I do not know. I have orders for more men; I can place possibly about 2,000.

Q. Without paying anything to Cordasco?—A. This is not for the Canadian Pacific Railway; it is for large irrigation works at Calgary. About 2,000 men are required, and inquiries are made by American lines, and men are wanted very badly.

Q. You will see that no money is paid to Cordasco for any of their employment? —A. Yes, I will do my best.

Mr. Pompeo Bianco, re-examined. (Through interpreter.)

By the Commissioner :

Q. Now, what do you wish to say ?—A. Mr. Cordasco asked us for our photos for that supplement.

Q. At the time he was crowned king of the workers?—A. Yes.

Q. Before crowning him?—A. Yes.

Q. How much was Cordasco going to give them for their photos?—A. He charged $5 to all the foremen.

Q. He charged them?—A. Yes.

Q. Did the men pay ?—A. Mr. Cordasco told us, do you see that picture with 'la tête en bas' (upside down), that man refused to pay, and if any one else refuses to pay I will have his picture put there upside down, so we paid.

Q. Rather than have your picture upside down ?—A. Yes.

Q. Was there any inducement other than that?—A. Afterwards he said now I feel better, I am all right, everything is going well.

Q. After he was crowned?—A. Yes. Well, now, he said, 'We are going to have a banquet,' and Cordasco said he was to subscribe $25. He did not pay the money, but put down the name in the book.

Q. Well?—A. He said to the foremen, any one who refuses to pay will go out of my office. So we paid each $5 for the banquet.

Q. Did he offer any inducement other than work ?—A. After that we met at Roncari's, 471 Craig street, and we had a banquet there. We had drink, everything was good fun. Cordasco said I have received much honour this evening, there were a good many there. I do not know their names, but Cordasco said that one of them was the chief superintendent of the Vancouver division, and he will want 5,000 or 6,000 Italians for the coming spring.

Q. That was at Vancouver?—A. At Vancouver only, for Vancouver 5,000 or 6,000. Mr. Cordasco paid $70 to Mr. Roncari for the banquet and kept the balance for himself.

Q. For himself ?—A. For himself. He had collected $200 from 40 foremen at $5 each and only gave Roncari $70.

Q. He only made $130 out of that?—A. Certainly he put that money in his pocket.

Q. Well, he has only kept up his general record. Is that all you know?—A. Well, some of those present at the banquet paid $7 and some $10 and he said well when you come back we will take some beer. He bought ten barrels for the poor people when passing, but they refused to take any. Of course he got that from the proceeds of the banquet. And then he sent out foremen who had never worked as foremen, men who had come from the States and never saw a track before.

Q. Boconcelli?—A. He said he better go to Mr. Burns, he will send you out. Cordasco took money from the men last night and this morning.

Q. That is the kind of man he is. How much?—A. $3 men who paid $1 before charged $2 more.

The Commissioner to Mr. Ganna:

Q. Will you go for the book showing where these payments are entered?—A. I will go for it now.

Pompeo Bianco.—The foremen took money from the men, A. Giacci took $2 from each person yesterday.

The Commissioner.—But these men must not pay money for work, Mr. Burns will employ as many as want to go out. Will you please tell them this, Mr. Viglino, in Italian.

Mr. Viglino informs the men accordingly.

Mr. Salvatore Mollo re-examined.

By the Commissioner:

Q. What do you wish to state, Mr. Mollo?—A. There were some names mentioned in Cordasco's newspaper against Mr. Candori and at the end of articles written they used to sign my name and I never authorized anyone to sign my name.

Q. Well, this is a matter between you and Cordasco. You can have him arrested for forgery, we cannot inquire into that.

Mr. Dominico Pampillo being sworn.

By the Commissioner:

Q. Well Mr. Pampillo, what do you wish to state?—A. When I came back last year from the country Cordasco asked me to give him $1, and I paid him $1, and afterwards $2, making $3.

Q. When did you pay the other $2?—A. About 20 days ago.

Q. Did you ask him to return the money?—A. I asked him this morning and he refused.

Q. Well go now to him and say that if he does not have it paid by two o'clock you will let me know about it.

Mr. Charles Hodgson Osler being sworn.

By Mr. Mowat:

Q. What is your position in the Montreal Light, Heat and Power Company?—A. Superintendent of mains and services.

Q. And you therefore superintend the employment of labour?—A. Yes.

Q. You remember the influx of Italian labour last April and May?—A. Yes.

Q. Would that affect the scale of wages for labourers?—A. Yes, I think it would.

Q. Do you employ many Italians or strangers?—A. A large proportion.

Q. How many?—A. Out of 250 or 260 men about 100 are Italians.

Q. What is the scale now?—A. We pay from $1.25 to $1.35.

Q. Other labour a little higher?—A. $1.35 to $1.45, some $1.25.

Q. Thank you, that is all.

By the Commissioner:

Q. What is the maximum wages paid for labourers?—A. Well, I think $1.45 is the maximum.

Q. And the others are specialists above that?—A. Yes.

Q. These Italians only receive from $1.25 to $1.35?—A. Yes.

Q. Are there others besides Italians only receiving that pay?—A. Yes, quite a number.

Q. Who are they?—A. Well, some English and French-speaking men.

Q. You get as many as you require on your works without any difficulty?—A. We have done it so far. We have had no trouble at all. We had a little trouble last year, but we increased the wage to $1.45.

Q. For everybody?—A. For good men.

Q. About $1.45?—A. Yes.

Q. Why do you not make the line $1.50?—A. I do not know why. We could get no more out of them. We got lots of men this year at $1.25, whereas we had to pay $1.45 last year.

Q. I suppose there are the same number employed this year as last?—A. No, I have nearly double the quantity this year.

Q. How many have you now?—A. I suppose 260 or 270 altogether.

Q. How many last year?—A. Perhaps 150 or 160; something about that, I do not remember exactly.

Q. Do you know was there any attempt to bring out these Italians so far as you were concerned before being brought out by any public man or manufacturer?—A. Not that I am aware of.

Q. You did not hear of it?—A. No, we did not hear of it until we happened to be falling over them in the streets. Then we thought we might as well get all the work done we could while there was such a large influx of men.

Q. The wages then dropped 20c.?—A. Yes; well, of course, I cannot say it was altogether due to that.

Q. Due to the fact of the flood of men?—A. Well, some time ago many railways shut down and a good many thousands were thrown out of employment in the States.

Q. A great number of these came over from the States?—A. Yes.

Q. Was that owing to the railways shutting down?—A. I cannot say that alone, but it would affect a very large number of men. That, however, did not enter into the question. There was a large influx of men, and we took advantage of labour as it came in.

Q. That helped you?—A. Certainly.

Q. That is all, thank you.

Mr. SKINNER, re-called.

By the Commissioner :

Q. Well, Mr. Skinner, you have heard all this evidence from day to day as to the improprieties of this man Cordasco; what explanation have you to make of those overcharges?—A. I cannot make any explanation. I can say that almost every item in Cordasco's evidence was an absolute surprise to me. I did not know anything of these transactions between Cordasco and his labourers, and I had no possible opportunity of being able to know what was going on between them, as the negotiations with his labourers were all carried on in Italian and behind closed doors. My only negotiations with Cordasco were, as I said before, to tell him when the company wanted some men.

In connection with my surprise regarding Cordasco's evidence, I wish to say that I have every reason to believe that Mr. Burns had the same surprise. On the afternoon before this investigation began I happened to be in Mr. Burns' office in the Windsor street station, and I heard Mr. Burns say——

Q. That is not evidence?—A. I heard Mr. Burns tell Mr. Cordasco, in some such words as these. Mr. Cordasco was somewhat agitated, and Mr. Burns told him most emphatically : I want you to produce everything you have in this investigation. Tell the whole truth, you have nothing to fear. I did not take part in the conversation, but inferred from Mr. Burns' whole manner——

The COMMISSIONER.—Just state the facts, Mr. Skinner, just as they occurred; I do not want inferences.

By Mr. Mowat :

Q. There has been some evidence about your taxing down those bills for the past six or seven months?—A. Yes.

By the Commissioner :

Q. What means did you take to satisfy yourself as to these, was this one month?—A. I began taxing Cordasco's accounts beginning with the month of October. I dis-

puted these accounts from the very first, and checked some of them every month. I took off a large amount in December and remember the great fuss made by Cordasco about it. I said you can appeal to Mr. Burns. He appealed to Mr. Burns, but Mr. Burns supported my views. Every month almost there has been a large amount taken off and most of these were so changed by me in taxation that Cordasco got them typewritten over again in order that they might look well.

Q. His overcharges in the first place were so excessive?—A. I want to say this, Your Honour, as to my position in the labour department. Almost everything goes through me from Mr. Burns to Cordasco, and I believe I am in such a position as to tell better than anybody else if there is any wrong-doing, and as far as Mr. Burns is concerned, he is the only person I have heard spoken of with any disrespect, and from my knowledge in the conduct of the labour department of the Canadian Pacific Railway, I am absolutely certain in my mind that Mr. Burns did not know——

Q. That is not evidence, you must adduce facts. You are only stating your opinion. Now, in the month of October you reduced Mr. Cordasco's account 1½ days, you allow him 28½ at $5?—A. I think a couple of Sundays were taken off.

Q. In November the same thing,28 days; December was the largest number of days interfered with, and he immediately raised a row. That was the first time there was any difficulty, because you allowed him his accounts up to that time ?—A. Of course, I was fresh at that time.

Q. At no time did you go into the provision accounts at all?—A. I did not; the prices were settled by some one.

Q. The prices were not settled because no evidence was given to that effect?—A. I inquired of that.

Q. From whom?—A. I spoke to Mr. Burns.

Q. Did you inquire from any grocer?—A. No, I did not.

Q. That was the place you would have found out the value. You saw there were $6,000 or $7,000 worth of provisions supplied to Italians and Chinese, and there was really no audit of that account, and there were over $3,800 overcharged in that account? —A. Of course, you mean the difference between the cost and the profit?

Q. Yes, Cordasco was your agent; you saw he was supplying these goods, and you knew he had no business to make such profits?—A. I did not understand that; it is the custom in the Canadian Pacific Railway that every one going to work provides his own provisions.

Q. It is the custom for the Canadian Pacific Railway to have their work honestly performed, and you were employing Cordasco; he had no right to make such a profit; Mr. Burns admitted that ?—A. I admit that.

Q. That is all, Mr. Skinner.

Adjourned until 2 p.m.

MONTREAL, QUE., July 26, 1903.

THE COURT HOUSE, 2 p.m.

The Commission resumes.

Mr. CORDASCO recalled.

By the Commissioner :

Q. Is this the little slip you got printed for the occasion of your coronation?—A. I saw this after the coronation, I did not know about it.

Q. It was handed to the Italians?—A. Well, I have no doubt it was. I saw this, 'Viva Edouardo VII., Viva Le Canada, Viva Antonio Cordasco, Viva C.P.R., Viva l'Italia.'

Q. The men got that up at that time?—A. Yes.

Q. Let us understand, have we heard from you all the details of the manner in which you obtained money from these Italians, have you told me about all the moneys you have obtained in any way from them?—A. Pretty near, sir. What I remember.

Q. Cannot you go a little nearer?—A. I don't know.

Q. What other means did you take to get money out of them. Had you a boarding house , a lodging house. Had you not to be paid so much per man?—A. When a labourer came I called Mosco and I told him to send him to his place to make friends.

Q. How much did you get from each man per month?—A. Nothing.

Q. $3 per month?—A. For what ?

Q. For lodgings?—A. I never had any lodgings.

Q. Have you no place to send them to?—A. I do not charge one cent.

Q. Do you swear to that?—A. Sure.

Q. Some people will swear that you did charge them $3?—A. I never charged them anything. I kept a boarding house some years ago. I charged an immigrant $2 when other people charged $2.50 and $2.75 and as high as $3 per week. This money does not go into my pocket not for board.

Q. Goes to Mosco or others?—A. Yes.

Q. These are your men, Mosco is your man?—A. When he works for me I pay him.

Q. Gaillardi is your man?—A. Has got house by himself.

Q. Who lives on Craig Street?—A. Pellegrini.

Q. He is your man, your house?—A. That is rented from the Canadian Pacific Railway.

Q. And which he is conducting for you?—A. For himself and his wife.

Q. How much does he pay you?—A. $20 per month, I don't know. I told you I began giving him $5 then $10. He is working for himself and if he charges the men $2 or $3 I do not know.

Q. How many poultry did you send up to Mr. Burns some time ago?—A. I sent one sure.

Q. Only one?—A. Sure.

Q. Any other presents?—A. A few fruits, something like that on Easter Sunday. He has been very good to me outside of the Canadian Pacific Railway. He got me the agencies.

Q. You took him over to New York with you?—A. Yes.

Q. You did not pay his way?—A. No, sir.

Q. Did he pay your way?—A. He pay my way? I paid myself.

Q. Well. that is all I wish to ask you to-day?—A. If there is anything else I can do for you I am ready.

Q. If you do right by those poor Italians you got money from, that will be better?—A. I will give them back every cent; you can depend on Cordasco.

Mr. Richard Brinton being sworn.

Q. What is your occupation. You are an employment agent?—A. Yes, sir.

Q. How long have you been acting as such in Montreal?—A. Two years.

Q. What class of men do you employ?—A. All classes.

Q. You employ unskilled labour?—A. Yes, sir.

Q. How many?—A. My partner has the figures, I do not know. (Partner who is present hands him paper with figures.) This year 355.

Q. For whom have you employed them?—A. The Dominion Coal Company and certain other contractors.

Q. Do you find any difficulty in getting all you require?—A. At the present time we do.

Q. Up to the present you have not?—A. No.

Q. What is the cause of difficulty now?—A. I think the men are pretty scarce.

Q. Have they gone out?—A. They have all gone out to work.

Q. Or occupied in the city?—A. Yes.

Q. How much do you charge each man for obtaining work for him?—A. According to the length of the job and money that he gets.

Q. Let me have your charges?—A. $1.25 to $1.40 a day; we charge $1, sometimes $1.50 up to $1.75. Sometimes we have charged from $2.25 to $2.50 because we have guaranteed favourable prices to Glace Bay and charged extra.

Q. How much do you charge for foremen?—A. We never charge for foremen. We have hired foremen, but do not charge anything. They find the men and get the job for nothing.

Q. You do not charge foremen $5?—A. No.

Q. You do not charge them other than ordinary labourers?—A. I do not charge foremen at all.

Q. Do you find it difficult to get all you want during the year?—A. Yes, in the fall, say from now until the end of October.

Q. What means do you take to get Italians?—A. We pay 25c. a head for rounding them up.

Q. Foremen?—A. Men who round them up.

Q. You have a man to round them up at 25c.?—A. Yes.

Q. Does he succeed?—A. Yes.

Q. Last year did you succeed?—A. We did not hire many Italians last year.

Q. How many do you remember?—A. I do not think we have hired 100.

Q. You think not 100 ?—A. I think not 100 last year.

Q. Have you hired any for any of the railways?—A. Yes, sir.

Q. Which railway company did you supply with men?—A. We have been supplying Mr. Macdonald, Canadian Northern, with some, and the Great Northern Railway Company.

Q. What class of immigrants are there in Montreal, the largest number, besides Italians?—A. We have Scandinavians, Polanders and Russians.

Q. Are there many English, Scotch or Irish?—A. There are a great many in the floating population of a big city like this; they generally go through to the west.

Q. How many are there in the country going through?—A. I cannot tell.

Q. Now, do you register every man you employ in any book?—A. No, we do not charge any man anything until we get an order to hire men.

Q. No such thing as registration?—A. We have opened since a short time a register and registered about 20 skilled men, clerks, but no unskilled men.

Q. What is the result of unskilled labour coming in such large numbers as were brought here during March and April this year?—A. The result is on the workingmen's wages.

Q. You mean to say that it reduces wages, were they reduced generally or not?—A. I do not think it made a bit of difference.

Q. Do you know, as a matter of fact, whether it did make any difference or not?—A. I do not know.

Q. Have you inquired?—A. I know that wages are just as they were.

Q. How high are they?—A. They range from $1.25 to $1.75. Generally from $1.25 to $1.50.

Q. They were $1.25 last year?—A. In Montreal and neighbourhood, yes.

Q. What do you mean by neighbourhood?—A. Somewhere around Montreal.

Q. You mean to say that wages were $1.25 last fall?—A. That is what they paid at the Radner Forges down below.

Q. Had they any Italians?—A. Yes.

Q. How many?—A. I cannot tell you.

Q. How many men do they employ?—A. I am sure I do not know.

Q. 100?—A. More than that.

Q. 200?—A. Somewhere in the neighbourhood of 200.

Q. You see the Superintendent of the Montreal Light, Heat and Power Company stated that they were paying $1.45 last year for unskilled labour, which was hard to get even at that; this year it is $1.25. You see that is a reduction, you did not know that?—A. Of course, there are circumstances where firms pay higher than other firms. Some firms, when they treat labour right, can get men at $1.25 per day, when others have to pay $1.40. Perhaps board is cheaper in one place than in others.

Q. Do these men board them besides paying them?—A. No, they have to pay for their own board in the city of Montreal. I did not hire many men for Montreal.

Q. You do not know about the wages in Montreal?—A. Not much.

Q. Do you know what wages were paid in Montreal last year?—A. Well, I think the corporation paid about $1.50.

Q. The corporation pays that now?—A. Yes.

Q. That is all, Mr. Brinton.

Mr. Thomas D. Tattersall being sworn.

By the Commissioner:

Q. You are Mr. Brinton's partner?—A. Yes, sir.

Q. Carrying on business under the name of the Dominion Employment Agency in the city of Montreal?—A. Yes.

Q. For the last year?—A. I have been in partnership with my friend since August last year.

Q. You have heard Mr. Brinton's evidence?—A. I have.

Q. What do you say in reference to it?—A. It covers the ground.

Q. You corroborate his statements?—A. Yes.

Q. You charge no higher than $2.50 and that is all?—A. Never.

Q. That is for men who receive ?—A. Remunerative positions.

Q. What wages?—A. $1.75 to $2 per day.

Q. Are these unskilled labourers?—A. Yes.

Q. From $1.75 to $2 as far as $2.25.

Q. $1.75 up?—A. Yes. We have a firm doing business that hire men at from $1.75 to $2.25.

Q. You charge the parties you supply with men?—A. Not always; we cannot get it from both ends.

Q. You are like others, you try to get from both ends?—A. I do not understand.

Q. Sometimes do you get from employers $1 per man and sometimes you get nothing?—A. At present we cannot get anything from both ends, we cannot get anything from employers.

Q. You cannot get anything from employers?—A. Not at present.

Q. And you agree with what Mr. Brinton says as to the difficulty in getting men?—A. It is commencing to get difficult.

Q. How many unemployed are there in Montreal now, unskilled labourers, how many?—A. That is a pretty hard proposition.

Q. About how many?—A. I should say about 2,000 or 3,000.

Q. Unemployed?—A. Of these of course are a number who would not go to work if they could.

Q. How many unemployed Italians are there at present?—A. Not a great many.

Q. About how many?—A. I should judge about 300 or 400.

Q. You have not made any inquiry?—A. Well, I have not, but in the course of my business I cover the city pretty well and can form a fair idea.

Q. That will be all, thank you.

The COMMISSIONER.—To Mr. Perron: Have you any provincial statute relating to employment agencies?—A. We have a by-law and we have a provincial statute as to notices given by masters and servants.

Q. Nothing else?—A. No.

Q. If there is any other witness or any one who would like to make a statement, I will take the statement before I adjourn.

Q. Mr. Perron, you will kindly leave this copy of the by-law with me?—A. It is for your own use, Your Honour.

The COMMISSIONER.—Now my address will be, for any communication on this subject, care of the Minister of Labour, Ottawa; so if any one wishes to address me within a week or so I will be ready to receive any communication at all, and if necessary, I will sit again if there is any important evidence to be heard before I make my final report; however, I cannot wait very long. Do you wish to say anything, Mr. Perron ?

Mr. PERRON.—No, Your Honour, I will leave the whole matter in the hands of Your Honour.

The COMMISSIONER.—Very well, adjourned *sine die*.

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THE ROYAL COMMISSION

IN RE

THE ALLEGED EMPLOYMENT OF ALIENS BY THE PÈRE MARQUETTE RAILWAY COMPANY IN CANADA

REPORT OF COMMISSIONER

Issued by the Department of Labour, Canada

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY S. E. DAWSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1905

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ORDER RE APPOINTMENT OF COMMISSION

Privy Council,
Canada.

EXTRACT *from a Report of the Committee of the Honourable the Privy Council, approved by the Governor General on April 11, 1905.*

On a report, dated April 5, 1905, from the Minister of Labour, representing that complaint has been made to the effect that aliens, not being *bona fide* residents of Canada, have been and are being employed by the Père Marquette Railway Company upon that portion of the company's lines operating in Canada, to the exclusion of Canadian citizens and British subjects, and that for some time past the said company has been pursuing a policy of discharging Canadians and filling their positions by aliens imported to Canada in violation of the provisions of the Alien Labour Law.

The Minister further represents that it is expedient to ascertain whether, and if so, to what extent, the said complaint is well founded, and for that purpose that an inquiry be made to ascertain the name, nationality, nature and time of employment, remuneration and actual *bona fide* residence at the time of employment of the said alleged aliens, and also, that an inquiry be had as to the names of all Canadian or *bona fide* residents of Canada who have been in the employ of the Père Marquette Railway Company in Canada, and who have been discharged or have left the company's employ on account of such importation of aliens.

The Minister recommends that it be referred to His Honour John Winchester, Senior Judge of the County Court of the County of York, as Commissioner, under the provisions of Chapter 114, Revised Statutes of Canada, intituled: 'An Act respecting Public Inquiries,' to hold and conduct such inquiries, with all the powers conferred upon commissioners by the said Act; also, that Mr. Albert O. Jeffery, K.C., be appointed counsel to represent the Government of Canada before the said Commission.

The Minister further recommends that the said Commissioner report his findings to the Minister of Labour with all possible despatch.

The Committee submit the same for approval.

(Signed) JOHN J. McGEE,
Clerk of the Privy Council

COMMISSION.

CANADA.

(Sgd.) GREY.
[L.S.]

(Sgd.) E. L. NEWCOMBE,
Deputy of the Minister of Justice, Canada.

EDWARD the SEVENTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India,

To all whom these presents shall come, or whom the same may in anywise concern— Greeting:

WHEREAS in and by an Order of Our Governor General in Council bearing date the seventh day of April, in the year of Our Lord one thousand nine hundred and five, provision has been made for an investigation by our Commissioner therein and hereinafter named with respect to certain matters therein mentioned as upon reference to the said Order in Council, a copy of which is hereto annexed, will more fully at large appear.

NOW KNOW YE that by and with the advice of our Privy Council for Canada, We do by these presents nominate, constitute and appoint His Honour John Winchester, Judge of the County Court of the County of York, in the Province of Ontario, to be our Commissioner to conduct such inquiry.

TO HAVE, HOLD, EXERCISE AND ENJOY the said office, place and trust unto the said John Winchester, together with the rights, powers, privileges and emoluments unto the said office, place and trust, of right and by law appertaining during pleasure.

AND WE DO HEREBY, under the authority of the Revised Statute respecting inquiries concerning public matters, confer upon our said Commissioner the power of summoning before him any witnesses and of requiring them to give evidence on oath, orally or in writing, or on solemn affirmation if they are persons entitled to affirm in civil matters, and to produce such documents and things as our said Commissioner shall deem requisite to the full investigation of the matters into which he is hereby appointed to examine.

AND WE DO HEREBY require and direct our said Commissioner to report to our Minister of Labour the result of his investigation, with the evidence taken before him, and any opinion he may see fit to express thereon.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.—Witness: Our Right Trusty and Right Well-Beloved Cousin, the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom, and a Baronet; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, &c., &c., Governor General of Canada.

At Our Government House, in Our City of Ottawa, this eleventh day of April, in the year of Our Lord, one thousand nine hundred and five, and in the fifth year of Our Reign.

By Command,

(Sgd) P. PELLETIER,
For Under Secretary of State.

LETTER TRANSMITTING REPORT OF COMMISSIONER.

Toronto, May 16, 1905.

To the Honourable
Sir William Mulock, K.C.M.G., M.P.,
Minister of Labour, Ottawa.

Sir,—I have the honour to transmit to you the result of my investigation as Special Commissioner appointed in the matter of the alleged employment of aliens by the Père Marquette Railway Company in Canada, together with the evidence taken before me.

I have the honour to be,
Sir,
Your obedient servant,

(Sgd) JNO. WINCHESTER,
Commissioner.

REPORT OF COMMISSIONER

Toronto, May 16, 1905.

To the Honourable
Sir William Mulock, K.C.M.G., M.P.,
Minister of Labour,
Ottawa.

Sir,—I have the honour to report that on April 21, 1904, I received the Royal Commission issued to me bearing date April 11, 1904, authorizing me to ascertain the name, nationality, nature and time of employment, remuneration, and actual *bona fide* residence at the time of employment of alleged aliens employed by the Père Marquette Railway Company upon that portion of the company's lines operated in Canada, and also the names of all Canadians or *bona fide* residents of Canada who have been in the employ of the Père Marquette Railway Company in Canada, and who have been discharged, or have left the company's employ on account of such importation of aliens.

I immediately arranged to enter upon the inquiry, and appointed Monday, the 24th day of April, 1904, at 12 o'clock noon, at the Court House, in the City of London, Ontario, for the commencement of such inquiry, and forwarded the following notice for publication to the *Advertiser* and *Free Press*, London, Ontario, with instructions to have the same inserted in the first issue of the newspaper after receiving the same:—

'As Commissioner appointed by the Government of Canada to inquire into the names, nationality, nature and time of employment, remuneration and actual *bona fide* residence at the time of employment of alleged aliens employed by the Père Marquette Railway Company on their lines operated in Canada, and also as to the names of all Canadians or *bona fide* residents of Canada who have been in the employ of the said company in Canada, and who have been discharged or have left the company's service on account of such employment of aliens, I hereby give notice that on Monday, the 24th day of April, 1905, at 12 o'clock noon, at the Court House, in the City of London, I will commence such inquiry, and continue the same at the said city and at the City of St. Thomas, and other places, as may be announced.

'Information from any person in a position to give testimony in regard to the matter of inquiry is respectfully invited.

'All communications should be directed to me in care of Albert O. Jeffery, Esq., K.C., London, Ont.

John Winchester,
Commissioner.

'Toronto, April 21, 1905.'

At the hour appointed, I opened the inquiry in London, accompanied by Mr. A. O. Jeffery, K.C., counsel for the government, who attended during the whole of the inquiry. Mr. Edgar Britton, the district passenger agent of the Père Marquette Railway Company at London, was examined, and I then adjourned the inquiry until the next morning, to be continued at the Court House in the City of St. Thomas, I having

previously forwarded subpœnas to the various officials of the Père Marquette Railway Company in St. Thomas, and other witnesses that I desired to examine there.

Pursuant to the said adjournment, I resumed the inquiry at the Court House, St. Thomas, at 10 a.m., but at the request of Mr. Pyeatt, the divisional superintendent of the Père Marquette Railway Company in Canada, I adjourned same until two o'clock in the afternoon to enable Mr. Coburn, counsel for the Père Marquette Railway Company, to attend. At two o'clock in the afternoon, Mr. Coburn had not arrived. I waited until three p.m., when, at Mr. Pyeatt's request, Mr. Coburn still not having arrived, I entered upon the inquiry, examining the following witnesses that afternoon, namely: John Samuel Pyeatt, divisional superintendent; Everett E. Cain, train master; James R. Gilhula, chief despatcher; Owen C. Leseur, civil engineer; George M. Osborne, instrument man; Stewart Austin, shop foreman at Walkerville; Benjamin Knight, formerly despatcher; John W. O'Laughlin, stenographer, and Rowland John Foreman, chief clerk to Mr. Pyeatt. Mr. Coburn was present during the examination of these witnesses other than Mr. Pyeatt and Mr. Cain.

On April 26 the following witnesses were examined by me, namely: Owen McKay, formerly civil engineer; William W. Meadows, formerly instrument man; Miss Amy McLean and Miss Edna Steel, formerly stenographers of the company; and R. E. Tuller, Charles Franklin Shoemaker, Frederick Arnum, Edwin J. McMillan, Owen Hales, John McManamy, Werner C. Groening, Walter Henry Cole, William L. Hunker, A. J. Dawdy, George Penney, Charles Welch, Edward Allen, all employees in the service of the railway company at the present time; and at the request of Mr. Coburn, the following witnesses were examined on behalf of the company: Edward F. McCarthy, James L. Eberts, Trewin A. Gilbert, Robert Wardell, William Chamberlain, George Gubb, employees in the service of the company, and also at Mr. Coburn's request Mr. Pyeatt and Mr. Cain were recalled and examined by him. On the following morning, April 27, I examined William Woollatt, the former superintendent in Canada, and recalled Mr. Cain, but ascertaining that he left that morning to attend some business in London, I followed him to that city, and examined him in the Père Marquette office in London. Mr. Coburn did not attend the inquiry on April 27, although he was present when we adjourned the previous day, until April 27, and was aware the inquiry was to be proceeded with on that day; he, however, stated that he would be unable to be present, but did not ask for any adjournment of the inquiry. I also examined Mr. W. A. Kirkpatrick in Toronto on April 30, and produced him for cross-examination on May 15, instant, when Mr. R. H. C. Cassels attended as counsel on behalf of the railway company. On the said May 15, I also examined Mr. Keith R. Cameron, formerly train master of the Père Marquette, and Mr. L. E. Tillson, formerly agent at Chatham. During the examination of all the above witnesses, with the exception of Mr. Britton, counsel appeared on behalf of the Père Marquette Railway Company and took part in the examination of the same, except as above mentioned.

Condition of the Railway in Canada Subsequent to Acquirement of Same by the Père Marquette Railway Company.

The evidence shows that the Père Marquette Railway Company obtained control over the following Canadian Railways, namely: The Lake Erie and Detroit River

Railway, the Erie and Huron, and the London and Port Stanley Railways, and subsequently obtained running powers over the Michigan Central from St. Thomas to the Niagara frontier. These railways were then called the Buffalo division of the Père Marquette Railway system. At the time of obtaining such control, namely, in January, 1902, Mr. Woollatt was manager of the system in Canada, Mr. Keith R. Cameron, train master ; Mr. Owen McKay, civil engineer ; Stewart Austin, master mechanic; Fred. Arnum, and Messrs. Black and Kirkpatrick, train despatchers, with Benjamin Knight as relieving despatcher. The headquarters of the system was at Walkerville. The condition of the road at that time was good, having sufficient power and facilities to handle its local business. Subsequent to the Père Marquette taking control, a through business was instituted, and this with its local business required greater power and more facilities than the company were able to supply the division with. The shops were insufficient to take care of the power, and there was more business than the power or the facilities of the road would accommodate. There were not sufficient sidings nor sufficient water supply. Mr. Woollatt, who was appointed superintendent of the division, which was then for the first time called the Buffalo division, applied to the management of the railway company for assistance from time to time. The needed help was not forthcoming, and in consequence of the lack of power and water, and want of other facilities the business became congested, and the trains were not managed with proper expedition. Mr. Woollatt in his examination puts it in this way : 'The whole trouble was, the through business was put onto us to handle before we had proper facilities for the handling of it. I think that condition existed on the entire Père Marquette system, as much on the other side as this, for when I asked for power to move the business, the general superintendent informed me that they were just as hard up for power on the other side as they were on this.'

'You did everything you could in order to get the power?—A. Yes, sir.

Q. Did you apply more than once ?—A. Yes, frequently, and for sidings, passing tracks, as far back as, well, early in 1902.

Q. And continuously up to the time you left the service ?—A. Yes, sir, went over the road with the former superintendent, Mr. A. M. Smith, laying out where the sidings should be, but they were not forthcoming.

Q. What was the reason for that ?—A. I do not know, that would be with the management.

Q. You had no control over that ?—A. No, I could not spend money till they gave it to me to spend.

Q. Were there any complaints to you about the manner in which the service was being carried on by the management ?—A. No, sir, except that because of the lack of power we would be asked why we did not move certain business.

Q. Your answer was forthcoming ?—A. That we required the power to move it.

Q. And they did not come to your assistance?—A. They could not furnish it, they had not it.

Q. I understand this want of power was a very distracting thing to yourself?—A. It was, it caused my nerves to give out, and I had to resign on that account, nervous prostration.....the vice-president and general manager put it in the manner of my taking the railroad to bed with me.

Q. I suppose you did ?—A. A good many nights I did not sleep because of it.

Q. When was it you put in your resignation ?—A. Early in November of last year.

Q. What led up to that ?—A. The doctor's advice that I must do one of two things, either quit worrying or quit railroading.

Q. Had not the management come to your relief up to that time ?—A. As far as they were able to, but not sufficiently.

Q. You were quite able with the facilities you had to attend to the local traffic?—A. Quite so.

Q. But with their taking charge and connecting with their own traffic in the United States and making it a through traffic, the facilities were not equal to the demand ?—A. That is it, sir ; they sent over some 15 large engines which were not sufficient to handle the through business.

Q. Had you a sufficient number of employees under you to handle the business ?—A. Yes, sir, that is the local business.

Q. Yes ?—A. Quite so.

Q. And the through business ?—A. Yes, sir.

Q. Did you receive any notification that your services would not be required further ?—A. No, I was advised by my general superintendent to take a long rest, and when I was fit to come back to railroading they would have a position for me.

Q. When did he advise you to do that ?—A. In November, when I talked to him about my resigning.

Q. Did you follow his advice ?—A. I have taken a good long rest.

Q. Then who succeeded you ?—A. Mr. Pyeatt.

Q. When ?—A. I think the circular appointing Mr. Pyeatt was on November 28.

Q. Of course they have no such cause for congestion since the new management took place ?—A. I believe they were just as badly congested last fall.

Q. Not since the first of December ?—A. No, the beet business is over before that, the first of January.

Q. Where could they (cars of beets) be stored?—A. At Dresden, where there was a factory, and at Wallaceburg, where there was a factory, and some at other sidings, waiting movement, probably near 150 or 200 cars.

Q. Of course that was owing to the want of power ?—A. Yes, the want of power to move it.

That is really the prime reason?—A. That is the kernel.'

Mr. McKay, the civil engineer, said :—

'Q. Could you give me the condition of the railway at the time the Père Marquette took it over ?—A. It was in good condition for local business, it was not equipped for trunk line.

'Q. But good for local business ?—A. Yes.

'Q. Is there any difference in the equipment for local and for trunk line?—A. There is, it required heavier rails for trunk-line business, heavier engines and longer sidings and larger tanks, more of them.

'Q. How about the power, was the power sufficient at that time ?—A. The power was fairly good for local business at the time the Père Marquette had taken over the road.

'Q. I was told yesterday, I have no doubt it is perfectly true, that last December the power was in pretty bad condition ?—A. Yes.

'Q. You were on the road at that time ?—A. Yes.

'Q. What caused the bad condition of the power?—A. Well, so far as my observation went, it was due to lack of sufficient engines to do the local work and through business, and they did not have at Walkerville the facilities for repairing the engines as fast as they were out of repair. The engines were taken into the shop at Walkerville and kept too long, and the engines that they had in service, a large number had been broken down because they were kept too long in the work, and they did not have other engines to take their places; the result was they did not have sufficient power to move their trains, both local and through.

'Q. Whose fault was that ?—A. That would be the head management, as far as I could see.

'Q. Was that the fault of the general manager or superintendent of that division? —A. It was not the fault of the superintendent, because he had urged this matter so far as he had informed me, and so far as I know he had continually urged them on the other side, and called their attention to the lack of power to give efficient service.

'Q. It was not supplied at his request ?—A. No.

'Q. You consider that was the real reason for the bad condition of the power when Mr. Pyeatt took charge ?—A. Yes.'

Mr. Cameron, in his evidence as to the condition of the road, stated as follows :—

'Q. What was the condition of the road at that time ?—A. It was very bad.

'Q. Why ?—A. Well, we were experiencing all kinds of trouble for the lack of motive power. What motive power we did have in the service was not of much use to us. We had been very short of water for some time; in fact, we were running water trains from St. Thomas to Dutton filling up the tank night and day. Our sidings were not long enough for the crossing of through freight trains. The small shops that the railway company had at Walkerville, which were built to accommodate five or six engines, were required to attend to the work of twenty-five and thirty and thirty-five engines, and they were simply unable to repair engines in anything like the time that they should in order to put them in good service. At that time a general workshop was being built at St. Thomas, but it was of course no use to us; it was only in construction.

'Q. And there was no work going on inside of it ?—A. No work going on inside at all. We were very badly handicapped; at times that an engine required anything like a general repair, instead of holding that power at St. Thomas, it was necessary to send it 127 miles west to Walkerville. There was a day lost, and a day lost bringing the power back to St. Thomas after it was put in shape for service.

'Q. Mr. Pyeatt says in his evidence that at the time when he took control over the road, he found it in a very bad condition indeed, and also that the trains were running very slow; can you account for that ?—A. Trains were running slow on account of a great lack of power, and no water; that was the reason that trains were in awful bad shape. I never saw trains in such a shape myself until that time. Our trains were coming to water tanks, and perhaps two or three or four trains would get bunched together, when the second man would be unable to get water, and he would simply have to pull his fire, and, using a railroad phrase, he would "die" on the main line.

'Q. The engine would go out of business ?—A. Go out of business. They would have to pull the fire on account of their being no water.

'Q. What efforts did you make to remedy all this ?—A. So far as the water question was concerned, we hauled water from St. Thomas to Dutton night and day—had done that for over a month.

'Q. Why could you not have tanks built upon the different lines at different places ?—A. We had tanks. I might say that between Ridgetown and St. Thomas we had two tanks, one at Ridgetown, and one at Dutton, one at St. Thomas also; but one tank between the two points, which is 43 miles. There should have been another tank.

'Q. Why was it not there?—A. I know that Mr. Woollatt, when he was superintendent, was after the Detroit people dozens of times for water tanks, but they were never forthcoming.

'Q. What about the power; why did you not get better and new power ?—A. I know that Mr. Woollatt was after power as hard as he was after water. He was after power for days, but he never got it; and tracks and sidings. Mr. Woollatt was after sidings and he never got them, could not get them.

'Q. What Mr. Pyeatt said was that the trains were very late, running from thirty, forty and even fifty hours on a road 117 and 27 miles long; is that correct ? Did it take that length of time to run that length of road ?—A. At this time I don't recol-

lect just how many hours it took some of the trains to run, but I rather fancy that Mr. Pyeatt in mentioning thirty, and forty and fifty hours must refer to some trains that would be standing on the main line dead, as I mentioned a short time ago, for the want of water—remaining there for hours before we would get another engine to them. We were so situated that when an engine died on the main line with a train, we would have to wait perhaps ten, twelve, fifteen and twenty hours before we could get a second engine to go after that train.

'Q. And that was the cause of the delay ?—A. That was the cause of numbers of delays, waiting for engines.'

Mr. Pyeatt, in his evidence, stated that when he took possession on December 1, 1904, the condition might be considered rather poor.

'Q. A poor system, in what respects ?—A. The power was in poor condition, that was the worst fault.

'Q. What power ?—A. The locomotives.

'Q In what way was that in poor condition ?—A. It was just run down and needed repairs.

'Q. In what condition were the other parts ?—A. I should say not satisfactory.

'Q. In what respects ?—A. The trains were badly delayed, running very late, very long time on the road, and what caused that might create a difference of opinion. I do not know just what did contribute to all of it.

'Q. After you took possession, I suppose you requested better facilities than what the former superintendent had, and better rolling stock, from the management? —A. I recommended some additional side tracks, which were put in, that I considered necessary.

'Q. And also new engines, you made that recommendation ?—A. That is a sort of chronic recommendation of a superintendent to recommend new engines.

'Q. What did you ask for with reference to the running facilities of the road, can you tell me ?—A. In a short time after I came here, I asked for two or three additional engines from the other side, they were not new engines.

'Q. You have obtained six new engines since then ?—A. Yes, sir, we have obtained six new engines very lately.

'Q. That is within the last few months ?—A. Within the last forty days.

'Q. And you received other engines previous to that ?—A. We received two engines at first and two a little later.

'Q. And the work was done more expeditiously in consequence of that ?—A. In consequence of the improved condition of the engines and cleaning up of the division, taking cars off side-tracks, and having a systematic way of leaving cars at terminal points where they may be got out by trains running in different directions so that they would not have to switch for several hours at one point to get their trains as they passed through.'

Mr. McManamy, the master mechanic for this division, appointed as such on or about the 30th November, 1904, gave the following evidence :—

'Q. What condition did you find the power in when you came here ?—A. It was not good by any means.

'Q. All the engines run down ?—A. Most of them were.

'Q. Out of repair ?—A. Yes, sir.

'Q. What did you do in order to put things in better shape ?—A. We increased the force and ran our shop nights, worked overtime, and so forth, to get the power into condition to give better service than was being given at that time.

'Q. That increased the expenditure of money ?—A. Yes, sir.

'Q. As well as the number of hands ?—A. Yes.

'Q. The management in Cincinnati supplied you with all the necessary funds ?— A. They supplied me with all I used, at any rate.

'Q. Even all you wanted ?—A. No.

'Q. How many new engines did they send over here ?—A. There were four new engines sent some time in January, I believe; there were four engines but not new engines.

'Q. But they were good engines ?—A. Yes, in good condition; they came here in the end of January for a short period of time, and all have been returned.

'Q. And any new engines put on the road since you came ?—A. Yes, six new ones.

'Q. Where were they made ?—A. At Dunkirk, New York.

'How much money has been expended in putting the power in fair condition by the bringing in of six new engines and repairing old engines ?—A. Our pay-rolls run about $17,000 per month. That, of course, could not all be attributed to putting the power in good condition; the only portion of it which could be attributed towards that would be the amount that is in excess of the pay rolls prior to the time I came here.

'Q. How much were the amounts of the pay-rolls prior to your time ?—A. Between $10,000 and $11,000 per month.

'Q. Outside of the pay-rolls what would be the expenditure in connection with the power ?—A. The engines that are sent here are worth about $15,000 apiece, there were six of these.

'Q. What other expenditure ?—A. There was considerable expenditure in the way of shops, but the shops were well under way but not in running order when I came here.

'Q. Machinery ?—A. Yes, there has been some money expended for machinery; there have been only a few machines bought since I came here, the other machines had been purchased before that time, but they were not installed and were not in working order.

'Q. What would be the cost of them ?—A. They will run from $1,000 to $3,000 each.

'Q. How many were there ?—A. Seven or eight.

'Q. That would be about $20,000 ?—A. Yes.

'Q. So that, with all that expenditure, you have been putting the road in pretty good order ?—A. It is better, at any rate.

'Q. It could not have been put in good order without that expenditure ?—A. Not with the facilities at Walkerville.

'Q. Nor with the facilities at St. Thomas, without the expenditure of that money ?—A. No.'

In the examination of the witnesses produced by the railway company, namely, Mr. Eberts, Mr. Gilbert, Mr. Wardell, Mr. Chamberlain, conductors, and Mr. Gubb, engineer, they all stated that the improvement in the handling or the working of the road was largely through the improved condition of the power, one or two adding that the road was helped by the addition of sidings and water tanks.

Employment of Aliens.

Mr. John Samuel Pyeatt had been acting as chief clerk to the general manager of the Père Marquette Railway system, with offices in Detroit. He was appointed to succeed Mr. Woollatt as superintendent of the Canadian lines, or Buffalo division, on or about November 28, 1904, the appointment being made at Detroit by Mr. Trump, general superintendent of the Père Marquette Railway system. Pursuant to this appointment, Mr. Pyeatt went to St. Thomas from Detroit and entered upon his duties as superintendent, on December 1, 1904, and has continued ever since, receiving therefor $250 per month and expenses. He admitted being an American citizen.

Everett E. Cain, the trainmaster, is also an American citizen, and was appointed to that position by Mr. Pyeatt, and entered upon his duties on or about December 22, 1904. His evidence with reference to his appointment is as follows :—

'Q. When were you first spoken to with reference to the appointment ?—A. Well, Mr. Pyeatt was in St. Louis, I do not know just what time, I think the first time I talked to him about coming to Canada, was possibly in November, although he had no encouragement to offer me then. I told him I was going to be out of a position December first, and as I had been with those people, of course I naturally thought I could get a position with them again if they had anything. He knew of nothing then, he had not been appointed here at that time, but I told him after I was relieved there I would very likely come to Detroit, and I did ; I do not remember just what time but I came up there and came out to Blenheim and met him, and we talked over the matter, and I was approached about the position of train master at that time, and I told him I would accept it, and I went back home. I did not want to come here till the first of the year, but I did come a little earlier, I changed my mind and came up here. I left St. Louis December 21, I am pretty near sure, and I came right through over the Wabash to St. Thomas. I had transportation over lines——

'Q. Were you in the employ of the Père Marquette before that ?—A. No, sir, I was in the employ of the Missouri Pacific.

'Q. You knew Mr. Pyeatt at that time when you were on the Missouri Pacific ?—A. Yes.

'Q. For about seven years, I think he mentioned ?—A. Something like that; we were school-boys together. He was down to St. Louis twice; I spoke to him in November.

'Q. I thought it was first December ?—A. No, sir, I told him I would be out of employment about the first December.

'Q. When did you see him the second time ?—A. I do not know just what time it was in December.

'Q. In St. Louis again ?—A. Yes.

'Q. Did he offer you a position then ?—A. Yes.

'Q. As train master ?—A. He did not offer me a position exactly, only he told me to come up; he mentioned a position and told me I might come up here and see him. I had nothing to do but do that, and I came up.

'Q. I think he said it was about the 10th or 12th ?—A. Possibly so, something like that. My position, I might say, ended after the first December. I was in charge of the World's Fair matter, and the fair was over December 1.

'Q. Let us see what was actually said at St. Louis about your coming here ?—A. When I first talked to him he had nothing in sight.

'Q. He was not appointed then himself ?—A. No.

'Q. Then in the second week of December you saw him there again ?—A. Some time along about then, I do not remember the exact date.

'Q. What was the conversation you had with him then—he had been appointed then ?—A. Yes, he thought he could give me a position, and told me to come up.

'Q. As train master ?—A. Well, I really believe at that time he expected to put me in as chief despatcher, yes, that position was open.

'Q. And because of that conversation you came over four or five days afterwards ?—A. No, it was a week or ten days.

'Q. Because of that conversation ?—A. Yes, I came here the 21st December and I was made train master instead of chief despatcher.

'Q. And because of that conversation with Mr. Pyeatt you came here and he employed you ?—A. Yes, sir.

'Q. And you received $150 a month from the moment you took charge ?—A. Yes.'

Mr. Pyeatt, in his examination as to the appointment of Mr. Cain, had not been as candid as Mr. Cain was in giving his evidence. Referring to the resignation of Mr. Cameron, train master, he gave the following evidence :—

'Q. Who had you appointed before his (Cameron's) resignation was in ?—A. No one.

'Q. Did you think of any one before that ?—A. I had in mind, yes, sir.

'Q. Did you apply to Mr. Trump with reference to it ?—A. I talked with Mr. Trump regarding it.

'Q. Suggest to Mr. Trump any one ?—A. Yes, sir.

'Q. About when ?—A. It was some time in the middle of December.

'Q. Some days before you asked for the resignation of Mr. Cameron ?—A. Yes, sir.

'Q. Who was it you recommended for the position ?—A. Mr. Cain.

'Q. Where was he at that time ?—A. He was in St. Louis at that time.

'Q. What position was he occupying ?—A. He had been with the Missouri Pacific and had resigned.

'Q. Long before that ?—A. I do not know how long, some time before, a week or two, I think.

'Q. Were you in communication with him ?—A. Not at that time.

'Q. How did you know he had resigned ?—A. He told me when I was in St. Louis.

'Q. You saw him personally ?—A. Yes, sir.

'Q. When did you see him in St. Louis ?—A. I think I was down there about the first part of December, the 10th or 12th December.

'Q. Did you speak to him with reference to coming to Canada then ?—A. He spoke to me about coming, and I told him I had no vacancy at that time but might some time.

'Q. How long had you been acquainted with him before that ?—A. Six or seven years.

'Q. Were you on the Missouri Pacific too ?—A. Yes, sir.

'Q. Then, did you write to Mr. Cain after speaking to Mr. Trump about him ?—A. No, sir.

'Q. How did you communicate with him ?—A. Mr. Cain came to Detroit or met me in Blenheim, came to Detroit first, and the people there sent him over to Buffalo division, or rather he came over the Buffalo division and met me at Blenheim, and I talked with him about it there, and in St. Thomas.

'Q. How did he get to know about it ?—A. He was not to my knowledge aware of any vacancy on the Buffalo division; he came over in search of employment.

'Q. When ?—A. I do not remember the date, somewhere in the middle of December, I should imagine the 15th or the 20th.

'Q. Cannot you get nearer than that ?—A. No, sir, not by memory.

'Q. Did you make any report to the Detroit office with reference to him ?—A. I talked to Mr. Trump about him.

'Q. How long was it after you talked to Mr. Trump before he came to see you at Blenheim ?—A. A week, I should imagine.

'Q. Then you saw Mr. Trump afterwards ?—A. Yes, sir.

'Q. And reported in favour of Mr. Cain ?—A. Yes, sir.

'Q. Can you give me any idea when you reported in favour of Mr. Cain —A. A very few days before his appointment.

'Q. At that time when you saw him in St. Louis, what positions were there that he could occupy under you ?—A. None vacant at that time.

'Q. What positions were there vacant or otherwise ?—A. Train master or chief despatcher.

'Q. That was the only position at that time in your division that you could give him that would be of service to him ?—A. Yes, sir.

'Q. Did you speak about that to him in St. Louis —A. The position of train master ?

'Q. Yes ?—A. I referred to the fact that I might have a vacancy in some depart-

ment, and if I did I would be glad to consider him either as chief desptacher or train master.

'Q. It was only as to these two you might have a vacancy—were those the two positions you mentioned to him ?—A. Yes, sir.

'Q. In fact there were no other positions you could have control over that would suit him ?—A. No, sir.

'Q. Then, in about three days afterwards he came over ?—A. I cannot say in three days, within a week, I think.

'Q. Three or five days ?—A. Yes, sir.

'Q. Had he an intuition that there was a vacancy to be provided for him ?—A. He might have had.

'Q. How would he gather that ?—A. When a man is out of employment he frequently gathers that intuition from vague insinuations.

'Q. Do you think you gave him that vague insinuation ?—A. I might; I was very willing if anything should occur or come open that he would like to consider, to consider him for it, and told him so, if he were in search of employment and came over here.

'Q. Where was he living at that time ?—A. St. Louis.

'Q. How long had he been living there ?—A. About a year, I think.

'Q. A married man, I suppose, with a family ?—A. Yes, sir.

'Q. You gave him transportation over to St. Thomas about the 20th December ?—A. No, sir, he came over about the 15th or the 20th.

'Q. He was over here about a week before that ?—A. Yes, sir.

'Q. To spy out the land and see the location ?—A. To ask for employment.

'Q. Did he come to St. Thomas ?—A. Yes, sir.

'Q. From Blenheim or from Detroit ?—A. I met him at Blenheim.

'Q. And you brought him along ?—A. Yes, sir.

'Q. He looked around and then went back ?—A. Yes.

'Q. He went back home to St. Louis ?—A. Yes, sir.

'Q. And then returned with his family ?—A. He did not bring his family with him.

'Q. Not yet ?—A. Yes, he did, his wife came back with him.

'Q. Mr. Trump approved of your report and he was appointed ?—A. Yes, sir.

Mr. Cameron, in his evidence stated :

'Mr. Cain told me himself that he was in St. Thomas on the 29th day of November.

'Q. What doing there ?—A. He told me that Mr. Pyeatt had sent for him, and he come to St. Thomas to look over the ground. While he was there he took sick, and he took a heavy cold, and he returned to St. Louis, and according to Mr. Cain's own words to me, that while he was in St. Louis sick Mr. Pyeatt had written to him six or seven times asking him why he had not replied to him, and saying that he was waiting for him to come. Mr. Cain further told me that before Mr. Pyeatt ever knew me or saw me or knew who I was, he made an arrangement with Mr. Cain to be his train master when he was appointed superintendent of the Buffalo division of the Père Marquette Railroad.

'Q. When did Mr. Cain tell you this ?—A. Mr. Cain told me that on Sunday, the 25th day, last Christmas day, in his own office.'

And Mr. Tillson, in giving his evidence, said :—

'Mr. Cain, when he first arrived, of course he visited Chatham several times, very frequently, in fact—and speaking about the job as train master, he said that Mr. Pyeatt had been after him for some three months, I believe that was the term. He did not want to come at first. Of course, I might say on the start off, Mr. Cain and I were quite intimate and friendly, of course, and to all appearances we are yet.

'Q. He says so; he says at the present time you are friendly with him ?—A. Very friendly, but this was only about a week after he came there that he said that he had this place in view for some three months; in fact, Mr. Pyeatt had been after him for that length of time to come with him.'

James R. Gilhula, the chief despatcher, is also an American. In his evidence, he said he was born in the county of Kent, about 40 years ago, leaving there when about 20 years of age, he became an American citizen some seven years afterwards, and had lived in the United States until appointed to the position of chief despatcher at St. Thomas in December, 1904, by Mr. Pyeatt, at a salary of $110 per month. He was also on the Missouri Pacific for some 18 years as telegraph operator, train despatcher and chief despatcher, respectively. While in the United States, he applied to Mr. Pyeatt for a position. His evidence with reference to his appointment, is as follows :—

'Q. You applied for a position to Mr. Pyeatt ?—A. Yes.

'Q. When was that ?—A. That was about the 15th November.

'Q. What position did you ask for ?—A. I was asking for a position as train despatcher, or chief despatcher.

'Q. You had known him five or six years ?—A. Yes, sir.

'Q. You knew of his appointment as superintendent of this division ?—A. Yes, I did.

'Q. And have you got a copy of the letter you wrote to him ?—A. No. I made a personal application to him.

'Q. Where ?—A. At Detroit, at the time I applied to him.

'Q. He was not then superintendent ?—A. No.

'Q. That was about the middle of November ?—A. Yes.

'Q. Why did you apply to him ?—A. I knew him personally, and he was chief clerk for the general manager, and from our acquaintance, I naturally stepped around to ask him if he thought I could get employment over here in Canada.

'Q. After he had been appointed superintendent did you write to him ?—A. No, sir.

'Q. How did you communicate with him ?—A. He telegraphed me to come over here and see him, and he thought he could——

'Q. Did he offer you a position ?—A. Yes, he offered the position of chief despatcher.

'Q. Did he state the salary ?—A. I think it was $110.

'Q. You think he mentioned that ?—A. I think he did, I have not got the telegram.

'Q. What did you do upon receiving the telegram ?—A. I think I replied——

'Q. You accepted it ?—A. I do not know as I altogether accepted it.

'Q. What did you do ?—A. I came over here to see him.

Q. Did you reply to the telegram?—A. Yes, sir.

'Q. What was the reply ?—A. I could not say the words, it gave him to understand I would accept the position. Naturally, I was anxious to come over here, and he knew that.

'Q. Were you out of employment at that time ?—A. Virtually so.

'Q. Not doing anything ?—A. Well, I was employed by the Wabash just during the World's Fair traffic there, and that was at an end at that time, and they were reducing their forces on account of it.'

Owen S. Leseur, assistant engineer in charge of the Buffalo division, with headquarters in St. Thomas, was appointed on the 20th or 22nd February, 1905, at a salary of $150 per month and some expenses. He is an American citizen and succeeded Mr.

Harris, who was also an American citizen, and who replaced Mr. McKay, on or about the first December, 1904, Mr. McKay's services being dispensed with at that time. Mr. Leseur's appointment took place in Detroit and was made by Mr. Alfred, the chief engineer of the Père Marquette Railway system.

George M. Osborne, instrument man and leveller, is an American citizen, and under Mr. Leseur. He was appointed in Detroit by Mr. Alfred, chief engineer of the system, in the latter part of January, 1905, at a salary of $80 per month. The headquarters of both Mr. Leseur and Mr. Osborne are at St. Thomas, where they have been ever since their appointment.

John William O'Loughlin, stenographer, is an American citizen, and was living at Springfield, Ohio, when engaged by Mr. Pyeatt to come to St. Thomas as his stenographer. At the time of his appointment he was receiving $50 a month in Springfield, but is now receiving $60 per month in St. Thomas. His evidence as to his appointment as follows :—

'Q. To whom did you apply?—A. I applied to Mr. Trump.

'Q. He is the general superintendent?—A. Yes, sir.

'Q. You applied for a poistion as stenographer?—A. Yes, sir.

'Q. Where?—A. Some time last June I was in Detroit, and I saw him personally, that is, his clerk, and his clerk agreed to get me a position.

'Q. Who was his clerk?—A. Mr. Babbit. He looked up my record, and he said I could come and work for him, if I wanted to, but I changed my mind and went back to Springfield again, and in about January, in the first part of December, I wrote to Mr. Trump again and told him, if he could give me employment, I would accept it.

'Q. That was in December, was it not?—A. The first part of December last.

'Q. What did you hear, after writing Mr. Trump again?—A. Mr. Trump sent that letter to Mr. Pyeatt, I presume.

'Q. Why do you presume that?—A. Because I heard from Mr. Pyeatt.

'Q. Then, you got a letter from Mr. Pyeatt in answer to that letter?—A. Yes.

'Q. What were the contents of that letter?—A. It was a telegram, I think.

'Q. Do you remember what the contents were?—A. I could give you the substance, saying he understood I wanted a position, and to state salary, and so on.

'Q. What did you do in answer to that telegram?—A. I replied, saying I would hire for $60 a month.

'Q. At that time you were receiving $50—A. Yes.

'Q. Did you receive an answer to that telegram?—A. Yes, sir.

'Q. What was the answer?—A. The answer was, the substance, that he would give me a position here at that wage.

'Q. And you came in answer to that?—A. Yes.

'Q. When did you arrive?—A. I think it was on December 9.

'Q. You have been here since?—A. Yes.

'Q. Were you born in Springfield?—A. Yes, sir.

'Q. And how old are you now?—A. Twenty-five.

'Q. And an American citizen, I suppose?—A. Yes.'

John McManamy, master mechanic of the Buffalo division ,was appointed such about November 30, 1904. He had been working for the Père Marquette Railway Company at Grand Rapids, Michigan, as road foreman of engines, at a salary of $150 per month. He was appointed to his present position while at Grand Rapids, Michigan. In his evidence as to his appointment, he says:

'I was told they wanted me to come to St. Thomas; that was all there was of it; and when I asked the question, what rate of pay, they said it would be all right, we want you now to go to St. Thomas,'

And he accordingly left for St. Thomas, and has been there ever since, receiving $175 per month as wages. He is an American citizen. He succeeded an American, Mr. N. K. Christie, who had replaced Mr. Austin, mechanical superintendent at Walkerville, at the time the Père Marquette took over the railroads that now comprise the Buffalo division. Mr. Austin was a Canadian and resigned his position in the fall of 1903, because of his increasing years. He is, however, still in the service of the company as foreman of the round-house at Walkerville.

Charles Franklin Shoemaker, foreman of the boilermakers, was appointed on ruary 20, 1905. His evidence is as follows:—

'Q. By whom were you employed?—A. Mr. Stafford. (Mr. Stafford was then the general foreman of the shops in St. Thomas.)

'Q. Where?—A. Here, at St. Thomas.

'Q. How did you come to be here, in St. Thomas?—A. I had a friend here who was in charge of the shop.

'Q. Who was he?—A. Mr. W. H. Potter.

'Q. What position had he in the shop?—A. Foreman boiler man.

'Q. Did you write to him?—A. He wrote me a letter that he was transferred from this position here, this shop to Grand Rapids, and that there was a vacancy here, so I wrote to Mr. Kellogg and to Mr. Stafford about transportation, and when I got there I asked for the job, and he gave it me (Mr. Kellogg at this time was master mechanic of the Père Marquette system, having headquarters in Grand Rapids, Michigan).'

'Q. Have you the letter Mr. Potter wrote you?—A. No, sir; I burned it up, I think.

'Q. Where were you living at that time?—A. Terre Haute, Indiana.

'Q. You arrived here about what time?—A. On February 20.

'Q. Having received transportation from Mr. Kellogg?—A. Yes, sir.

'Mr. Kellogg sent it to Terre Haute?—A. Yes; I am a little ahead of my story there.

'Q. Just explain it?—A. I got a letter from Mr. Kellogg, and he said in the letter: "I inclose you transportation, Chicago to St. Thomas." I got the letter, but there was no transportation in it. He forgot to put it in. When I went to Chicago, I went to the freight office and got the transportation there at the general freight agents'.

'Q. On the Père Marquette?—A. Yes, sir.

'Q. Your wife and family came subsequently?—A. Yes, sir.

'Q. Did you get transportation for them, too?—A. Yes, sir.

'Q. What wages are you receiving?—A. $85 a month.

'Q. What position do you occupy?—A. Foreman boilermaker.

'Q. You were born in the United States?—A. Yes.

'Q. And you are an American citizen?—A. Yes, sir.'

Charles H. Shoemaker, his son, was appointed by him about the 8th March, 1905, He also is an American citizen. The manner of his appointment is shown by the evidence of his father, Charles F. Shoemaker, as follows:—

'Q. Then your son also came here?—A. Yes, sir.

'Q. How did he come to get here?—A. Supposed he could get work here, and he asked me for a job, and I needed a man, and I put him to work.

'Q. That was in March, about the 8th March?—A. I do not remember what date it was in March, along the fore part of March.

'Q. How did he come to travel here ?—A. I had spoken to Mr. Stafford about transportation for him on account of him being one of the family.

'Q. How old is he ?—A. 21.

'Q. You required a boilermaker just at that time ?—A. I did not exactly need a man, no. I did not speak to Mr. Stafford for him to come here to work.

'Q. What do you mean by not exactly, you could have put a boilermaker in there if you had so desired it; you could have found work for him ?—A. I do not know, but what I might have had enough work that I could have put on more men if they had allowed any more.

'Q. When was it you wrote to your son about transportation ?—A. I spoke to Mr. Stafford.

'Q. About what time ?—A. Shortly after I came here.

'Q. Within a week ?—A. I think it was about a week.

Q. What was your boy doing ?—A. He was working for the Pennsylvania Railroad Company at Terre Haute.

'Q. With the same company you had been working ?—A. Yes, sir.

'Q. Then, in about a week you asked Mr. Stafford for transportation for your son to come here ?—A. Yes.

'Q. And he arrived immediately ?—A. About a week after, I think.

'Q. You sent him transportation ?—A. Mr. Kellogg did.

'Q. And he arrived in consequence of receiving transportation ?—A. Yes, sir.

'Q. And immediately he was put to work by you ?—A. Not put to work until after he came here.'

Werner C. Groening, general foreman of the St. Thomas shops, was appointed March last, and has occupied that position since the 18th of that month, having been previously employed at the round-house in Detroit. He is an American citizen, and was in Detroit on the Père Marquette Railway at the time of his appointment to St. Thomas, having been there for six weeks only, and coming from Saginaw where he had been working in the shops of the railway company for some 18 years, where he received $80 a month. He is now receiving $110 per month. He was appointed to his present position by Mr. Kellogg, the general master mechanic. His evidence as to his appointment is as follows:—

'Q. How did you come to St. Thomas ?—A. There was a position open, better pay.

'Q. Who told you about it ?—A. Mr. Kellogg.

'Q. Mr. Kellogg at Grand Rapids ?—A. Yes, sir.

'Q. Did he write to you or did you see him personally ?—A. I saw him personally.

'Q. Where ?—A. At Detroit.

'Q. He came to see you there ?—A. Yes, sir.

'Q. What did he offer you ?—A. He made no offer at all; he told me there was an opening here for advancement and he wanted to transfer me from Detroit to St. Thomas.

'Q. Did you write to St. Thomas then ?—A. No, sir, I came to St. Thomas.

'Q. You came according to instructions ?—A. Yes, sir.

'Q. Who gave you transportation ?—A. Mr. Kellogg.

'Q. When was this ?—A. The 17th March.'

Mr. McManamy, in his evidence referring to the appointment of Mr. Groening and Mr. Shoemaker, stated, "Mr. Groening was appointed by a bulletin issued in the St. Thomas shops. He was sent here by Mr. Kellogg for that purpose, and Mr. Kellogg appointed Mr. Shoemaker or Mr. Stafford employed him. That was done when I was not in the city, and when I came here I found Mr. Shoemaker working."

'Q. Mr. Groening was appointed by Mr. Kellogg?—A. Mr. Groening was appointed by me and approved of by Mr. Kellogg; he was sent here by Mr. Kellogg.

'Q. He was sent here by Mr. Kellogg for appointment?—A. Yes, sir.

'Q. And Mr. Shoemaker was appointed as he said in his evidence?—A. Yes, sir.'

From Mr. McManamay's evidence, it appears that Mr. Stafford was appointed general foreman of the shops on or about January 8, and left on March 21, that he succeeded Mr. Royce, who had in turn replaced Mr. Bartlett, a Canadian, both Mr. Royce and Mr. Stafford being Americans. Mr. Bartlett left the service of the company in July or August, 1904.

William L. Hunker, storekeeper, was appointed on or about December 27, 1904. He had been employed in Oklahoma previous to that date, and had applied for a position from there, desiring to get nearer to his home, which is in Elkhart, Indiana. He gave the following evidence as to his appointment:—

'Q. Where were you employed on the Père Marquette?—A. The letter I got asking me to come to the road offered me the position of storekeeper at Muskegan, Michigan.

'Q. Where was that letter sent from?—A. From Mr. Atherton's office; he was then at Saginaw, Michigan.'

The evidence shows that Mr. Atherton was general storekeeper of the Père Marquette railway system at Saginaw.

'Q. He wrote to you from Saginaw?—A. Yes, sir.

'Q. To Oklahoma?—A. Yes, sir.

'Q. How did he come to write you?—A. I had filed an application with him some time before for a position. The letter I got from him told me to report to room 10, Depot Building, at Saginaw, Michigan. The first letter he wrote offered me a position as storekeeper at Muskegan.

'Q. When you got to him, what then?—A. I reached his office at nine o'clock, December 27, 1904. Mr. Atherton was not there, he was at Walkerville that day, and the man in charge, Mr. Minot, said he had instructions to send me to Walkerville, and I went down to Walkerville.

'Q. He gave you transportation?—A. Yes.

'Q. What wage had he offered you?—A. Sixty-five dollars a month at Muskegan, Michigan.

'Q. Who offered the salary?—A. He never said anything about what it was till I saw the pay-rolls—what it was going to be.

'Q. You were surprised in getting $5 more than you expected?—A. Yes, sir.

'Q. In Walkerville, you took charge?—A. Yes, sir.

'Q. On the 28th December?—A. I got down there about 4.30 of the 27th, and I worked the rest of the afternoon and that evening.

'Q. Did you meet Mr. Atherton there?—A. Yes, sir.

'Q. He told you what to do?—A. Yes, sir.

'Q. You are an American citizen?—A. Yes, sir.'

The evidence shows that Mr. Hunker succeeded an American, who had absconded, and who succeeded a Mr. Colon, a storekeeper who had been appointed from Saginaw by the general storekeeper. Mr. Colon succeeded Mr. Knechtel, a Canadian, who left the service in September or October, 1904.

Edgar Britton, district passenger agent at London, was appointed to that position on October 1, 1904, having been previously district passenger agent at Toledo in con-

nection with the Père Marquette railway. He was appointed by the general agent at Detroit and is an American citizen. He gave the following evidence:—

'Q. I presume they paid your transportation here, you and your family, from there (Toledo)?—A. Yes, sir.

'Q. What is the remuneration you are receiving now?—A. One hundred and twenty-five dollars per month and expenses.

'Q. Was the office opened here at the time you reached here?—A. Yes.

'Q. At the same place?—A. The same office.

'Q. Who was in charge of it?—A. Mr. Thomas Marshall; he had the title of general agent; he had charge of both freight and passenger.

'Q. He is still in the service of the Père Marquette?—A. Yes. His title has been changed to division freight agent, too much for one man to look after.

'Q. When was the office established in London?—A. April 23, 1904.

'Q. With Mr. Marshell as general agent?—A. Yes, sir.'

In addition to the above, who are all American citizens, and were appointed to the positions they severally occupy while residing in the United States, I examined several others who had been appointed to their positions immediately upon, or shortly after, their arrival in St. Thomas from the United States. The evidence, however, fell short of showing that they came within the Alien Labour Law. I refer to the cases of Harry E. Tuller, Edwin J. McMillan and Angus R. McIntyre. They were acquainted with one or more of the officials of the road, and at their request received transportation from the United States to St. Thomas.

Canadians who were Discharged or who Left the Company's Employ on Account of the Importation of Aliens.

The evidence shows that the following Canadians were either discharged or left the employment of the Père Marquette Railway Company in consequence of the importation of aliens, namely:—Keith R. Cameron, trainmaster; Owen McKay, assistant engineer; Benjamin Knight, train despatcher; W. A. Kirkpatrick, train despatcher; Amy McLean, stenographer, and Edna Steel, stenographer.

MR. CAMERON'S CASE.

Mr. Pyeatt gave the following evidence as to Mr. Cameron:—

"Q. Did you complain to Mr. Cameron of the difficulties that the system was under?—A. Yes, sir.

'Q. Did you merely specify particular instances, or did you state generally that the system was not up to the mark?—A. No, I complained of the time trains were making; they were very late, running from 30 to 40 and 50 hours on the road, 117 and 27 miles.

'Q. Did you explain how that could be overcome?—A. I had my ideas as to how it should be overcome.

'Q. Did you explain it to him?—A. Yes, sir.

'Q. What did he answer?—A. He, of course, promised to do the best he could.

'Q. And did he?—A. I have an idea he did.

'Q. Did he improve it?—A. I do not think so.

'Q. How often did you complain to him about the state of affairs?—A. From December 1 till the time he resigned.

'Q. A dozen times?—A. A great many more than that.

'Q. Why did he resign?—A. I suppose because he thought he could not bring about a condition that would be satisfactory.

'Q. Did he say so?—A. No, sir.

'Q. Did you ask for his resignation?—A. Yes, sir.

'Q. When did you ask for it?—A. About December 20, I think, perhaps a few days later than that; it might have been a little earlier.

'Q. What led up to your asking for his resignation?—A. Because I did not think he was making an improvement as rapidly as he should.

'Q. From the first to the twentieth you complained to him over a dozen times as to the manner in which he was attending to his duties?—A. Yes, sir.

'Q. And there was no improvement, you considered?—A. Not at all.'

Mr. Cameron gave these statements the most unqualified denial. His evidence respecting the same is as follows:—

'Q. What did Mr. Pyeatt do with reference to the transportation that was under his jurisdiction at the time he was appointed?—A. He made no change.

'Q. Did he consult you with reference to transportation?—A. Not a great deal; very little.

'Q. Did he complain to you about the delay?—A. He did not.

'Q. Did he make any complaints to you at all about the manner in which the transportation was looked after?—A. He made no complaints to me whatever. He spoke to me on two or three occasions about the general operation, admitting that we were up against it hard, and that we would have to do the very best we could, knowing at that time that it was a very hard proposition, but no complaint was made.

'Q. No complaint was made to you with reference to the manner in which you were performing your duties?—A. No, Your Honour.

'Q. Are you sure about that?—A. I am.'

After reading the evidence of Mr. Pyeatt as above set out to Mr. Cameron, I asked him what he had to say about it, when he replied, "So far as complaints are concerned, Mr. Pyeatt is telling an untruth; and so far as suggestions are concerned, he made none of them to me."

'Q. Did he make any complaint as to your not disciplining the men under you sufficiently?—A. He did not.

'Q. Did he ever speak to you about the discipline of the road?—A. Never mentioned a word to me.

'Q. Did he ever mention to you about the handling of the cars at the different yards?—A. On three or four occasions Mr. Pyeatt went to Sarnia, and on his arrival there, he would wire me at St. Thomas to clean up the line. That was all very well; he knew as well as I did that I did not have the power to clean up the line.

'Q. That is, the engine power?—A. The engine power, yet he would wire me to clean the line up. If we had the power, it would have been a very easy matter to have cleaned the line up; that would be no trouble whatever, but at that time we were waiting for engine power at our St. Thomas and Walkerville shops, hours, sometimes days before we would ever get any.

'Q. What yards were there that were complained about more particularly or congested more particularly?—A. The only congestion that we had last fall was at Chatham and Wallaceburg with sugar beet cars. Every fall since the sugar beet industry has located on the Lake Erie line we experienced some kind of a block with sugar beets from the fact that our connections—the Michigan Central, the Grand Trunk, the Canadian Pacific Railway, and the Wabash—perhaps in one day would give us 100 or 150 cars, bunch them to us, and in that way would cause a block. Other reasons are that the sugar beet people would at times be unable to unload the number of cars that we would expect them to. We would run the cars into Wallaceburg, where we did not have one-half the room to hold cars, to store them, and in that way it would cause a block in our yards.

'Q. What would you do in order to relieve the block?—A. Every train that we could put cars on to we did so; in order to relieve Chatham yard we would send our cars to points between Chatham and Wallaceburg to store them on the side tracks in order to get them out of Chatham, get them away from there, make room for them. The cars then would remain until the Wallaceburg sugar people were in shape to take them, although I might say they always were very good in doing their share of the unloading, in helping the railway company out. Last December about the 6th of the month, Mr. Pyeatt wrote me to go to Wallaceburg to give my personal attention to the handling of sugar beets. I spent about 9 or 10 days there. You will understand from that, Your Honour, that while I was closed up in Wallaceburg giving my whole attention to the handling of sugar beets, according to Mr. Pyeatt's instructions, I was unable to look after my trains on the road in general. After Mr. Pyeatt took charge even on the 1st December, on the 28th day of November, up to the time that he asked me for my resignation, which was on the 22nd day of December, deducting the 9 or 10 days from that that I was at Wallaceburg, would not leave me much time.

'Q. Could another official have done the duties at Wallaceburg quite as well as you?—A. Well, we had no other official that could have been sent there, although a man could have been sent there to have performed those duties. It was a matter of seeing that the cars were handled properly. Of course, so far as Wallaceburg is concerned, on my own account I would certainly have paid them a visit; I would not have remained there 9 or 10 days straight, if it had been left to me. I would perhaps have gone to Wallaceburg to-day, remained to-day and get things in as good shape as I possibly could, and trip off there to-morrow night perhaps or the morning afterwards and put in three or four hours, and dodge around here and there. My way of working was to cover as much of the ground as I possibly could during the day, using every train possible.

'Q. But Mr. Pyeatt's instructions were urgent, that you were to remain there for how long—for all the time that you were working?—A. He asked me to remain there until the sugar-beet season was over with.

'Q. Did he know how long that would continue?—A. He knew it would be something like two or three weeks. If I had remained at Wallaceburg until the end of the sugar-beet season, a letter from Mr. Pyeatt, no doubt, would have been sent to me at Wallaceburg, asking for my resignation.

'Q. What letter do you refer to now?—A. On December 22, I was out on the line. I went from St. Thomas to Walkerville, Walkerville to Chatham; it was then my intention to go from Chatham to Sarnia. About thirty minutes before the Sarnia train arrived I received a telegram from Mr. Pyeatt, at St. Thomas, advising me to come to St. Thomas to-night. I went to St. Thomas. On my arrival there, I found a letter on my desk marked "Personal." I opened it; it was from Mr. Pyeatt. He said: "I believe the discipline of this division requires a change in trainmasters. Please let me have your resignation, to take effect January 1, 1905." At that time Mr. Pyeatt, Mr. Cain and Mr. Gilhula were in Mr. Pyeatt's office. I started to go to see Mr. Pyeatt. When I found that he was engaged, I made up my mind I would wait longer to ask him what his message had reference to. I thought perhaps he wanted to see me about something else, although I had a very good idea why he called me in. But while I waited, the three of them had left there, shortly after that, so that I had no chance to talk to him that night.

'Q. Then, when did you see Mr. Pyeatt after that?—A. This was on a Thursday night. Mr. Pyeatt was away from the office on Friday and Saturday. I took a walk down to the office on Sunday morning and saw Mr. Pyeatt. My first remark was, "Well, I am out of it," and he said, "Have you anything in sight?" I said, "The time has been very short for me to find something in sight." He says, "Well, I am sorry." I says, "Yes, perhaps." I then said to him, "Mr. Pyeatt, for my own information, outside of the contents of your letter to me that the discipline of the division requires a change, were my services satisfactory? I would like to know." He says, "Well, so far as I know, they were; of course, I have not known you a great

while, but from what I understand, your services have been." Then I said, "Your only reason for asking me to resign is, that the discipline of the division requires a change—that I have not been hard enough after the men?" He says, "No, you have not." I said, "I thought I had got after the men as hard as I felt proper; I have always been able to get good work out of my men at all times."

'Q. Had he, before that, complained to you that you were not hard enough on the men?—A. No, Your Honour, he did not; he never mentioned discipline.

'Q. Did he suggest how you could become harder on the men than you were?—A. No, Your Honour, he did not.

'Q. And he gave you no other reason for demanding your resignation?—A. Nothing whatever.

'Q. What did you do upon receiving that letter and hearing that conversation?—A. Well, it always being my duty to carry out the insrtuctions of my superior officer, I wrote out my resignation on the following day.

'Q. And you left there?—A. I left there. I was through there on the last day of December.

'Q. So you had a little more than a week's notice of dismissal?—A. Yes.

'Q. Was Mr. Cain there at that time?—A. I believe he arrived there that day. I might say, that after receiving Mr. Pyeatt's letter, o nDecember 22, about half-past ten at night, or, at least, the fololwing morning, about eight or half-past eight, I saw a circular announcing my resignation, and that Mr. Cain had been appointed on the above date, which was December 22.

'Q. Have you got that circular?—A. I have.

'(Circular produced as follows):—

'"PÈRE MARQUETTE RAILROAD COMPANY—BUFFALO DIVISION,

'"ST. THOMAS, December 22, 1904.

'"Circular No. 1.

'"Effective this date, Mr. E. E. Cain is appointed trainmaster, vice Mr. K. R. Cameron, resigned.

'"Office at St. Thomas.

'"J. S. PYEATT,

'"*Superintendent.*

'"Approved.

'"W. O. TRUMP,

'"*General Superintendent.*"

'Therefore, on that day there would be two trainmasters.

'Q. This had been printed before you found the letter asking for your resignation?—A. It must have been.

'Q. Because you received your letter when?—A. On the night of the twenty-second, and that circular was distributed the following morning. It was out, distributed among the employees.

'Q. And when did you resign?—A. On the 23rd day.

'Q. So that your resignation was not in at the time this circular was being distributed?—A. No, it was not.

'Q. Mr. Trump lives at Detroit?—A. Yes.

'Q. So that if he signed this he must have signed it before you got your letter demanding your resignation?—A. He must have. He must have approved of it before that.

'Q. They paid you your salary up to the end of that month?—A. Up to the end of December, and they paid me half a month extra. I asked for a month's salary in advance. They refused that. I wrote them the second time, stating that I thought I would be entitled to it, that I considered that I was discharged. They then said that they would not give me the month's salary, but on account of my long services they would gratuitously grant me half a month's salary.

'Q. What were you receiving at that time?—A. $125 a month. Mr. Cain, I understand, was appointed at $150 a month; he told me that he was to get $150 a month.

'Did any complaint come from any source at all as to your work on the road after the American management had taken charge of the Canadian system?—A. I never heard any.

'Q. Did any of the management commend your work?—A. Yes, Your Honour, Mr. Trump, who is now general superintendent, and at the time that I am about to mention he was assistant general superintendent. It was some time in October last, we were running at that time fast beef trains from Chicago to the Bridge and Buffalo via Detroit, and the management decided to divert the freight via Port Huron, give it a trial, see what kind of a run we could make. During the time since the Père Marquette took hold of the Lake Erie, Mr. Trump has spent a great deal of time on our division, so that he knew it pretty well. Well, the first two trains that came to us I was wired to by Mr. Trump to meet him at Sarnia. He left Sarnia on the Suspension Bridge beef train, and he told me to leave on the Black Rock beef train, which would be about an hour behind him—that is, both of us would be on hand on each train to see that everything would be all right. We made very good runs, and he waited for me at St. Thomas that night; it was somewhere around midnight, and he told me that he had no criticism whatever, that everything was going along very well on this division, and he advised me to keep things going in good shape. He says "keep after it, and keep things going, and everything will be all right." I felt very much encouraged, and I remembered that.

'Q. When was that?—A. This was some time in the latter part of September or the first part of October last year.

'Q. After leaving the service in December last, what have you been doing?—A. I remained here until the 11th of April last, then I went west to the Canadian Pacific Railway and engaged with them as an operator.

'Q. You are now with the Canadian Pacific Railway as operator?—A. With the Canadian Pacific Railway as operator, doing relief work between Fort William and Winnipeg.

'Q. At what salary?—A. At $60 a month.

'Q. So that you are reduced from $125 to less than half of that?—A. From $125 to $60. I might say that the monthly salary is $55; then what makes the $60 is over time on Sundays. Getting overtime it makes it $60.

'Q. So that it has been a rather severe punishment to you because you were a Canadian?—A. It has. It is quite a big drop, but I made up my mind that I would have to buckle right down and start over again.'

In his cross-examination by Mr. Cassels, Mr. Cameron gave the following evidence:—

'Q. Do you think that it (the business) could have been any better handled by anybody else than by you?—A. I don't think so. I might say that Mr. Pyeatt and Mr. Cain and Mr. Gilhula admitted to me that we were up against the hardest proposition they ever saw, and that they wondered—Mr. Cain himself particularly wondered—that we ever got along nearly as well as we did; and a good railroad man would have seen for himself the condition of affairs.'

Mr. Cameron subsequently said that, in talking to Mr. Pyeatt, 'he admitted to me that Mr. Cain was a personal friend of his, and that he understood his way of working, and Mr. Cain understood his method of working, so that in that way he desired to have him come over here as a trainmaster for himself.'

The evidence of Mr. Woollatt, who had been superintendent prior to Mr. Pyeatt's appointment; of Mr. McKay, assistant engineer of the road, and of Mr. Tillson, agent at Chatham, as also the conductors examined on behalf of the railway company,

showed that Mr. Cameron was well qualified for the position he occupied, and that no complaint had ever been made with respect to the performance of his duties, or to his actions.

Mr. Tillson, in his evidence, said: 'I was there when Mr. Cameron came there, and I have known Mr. Cameron's services from a boy up, and I can corroborate everything that he said.

'Q. You never heard any complaints whatever being made as to the manner of his performing his duties?—A. None whatever. Mr. Woollatt always considered him a smart trainmaster and despatcher and stenographer, or else he would not have promoted him. We always got along with him first rate.'

Mr. Owen McKay.—Mr. McKay was formerly chief engineer of the Lake Erie and Detroit River railway, and, upon the Père Marquette obtaining control of same, became assistant engineer on March 1, 1904. He was dismissed, no fault whatever being found with him or his work. He gave the following evidence:—

'Q. When was it you left?—A. On November 26. Mr. Alfred informed me personally, in his office in Detroit, that the general manager had decided on removing the superintendent's office and the assistant engineer's office to St. Thomas, and they had appointed Mr. Harris as assistant engineer in my place, that the duties of the office would be somewhat different from what they had been under my care; the plans would be made in Detroit, and new construction work would be managed from Detroit, and they expected the assistant engineer in future to look after maintenance, to be outside and take active care of the work outside, and they decided on putting a new man in the position.

'Q. Were you qualified to do the work they required?—A. I thought so.

'Q. They did not ask you whether you would remain with them or not?—A. No, sir. Mr. Alfred told me I could keep my old office in Walkerville and finish up all construction work, and if any new construction work would come up during the summer, they would probably be able to give me a good deal of it, and the assistant engineer would have charge of the maintenance.

'Q. Were there any complaints about the manner in which you performed your duty at that time?—A. No: Mr. Alfred told me he was very well satisfied with my work.

'Q. What notice, then, was there given to you of your being relieved from duty; how long notice was there given of your being relieved from duty?—A. It must have been about the 22nd November that Mr. Alfred told me there would likely be a change in the engineering office in Detroit which would affect me, he thought, but he would hold back that change as long as possible. On the 26th November he informed me my assistant was appointed.

'Q. Who was the assistant?—A. Mr. Harris.

'Q. Your salary ended at the end of November?—A. At the end of November.

'Q. What was your salary at that time?—A. $195 per month.

'Q. That ended, then, in four days after you got notice to leave?—A. Yes.

'Q. Was there any notice given to your subordinates; to the staff?—A. A few days before I received a notice—I have not the letter—it must have been about the 20th November, I think, if I remembr right. Mr. Alfred wrote me I would have to dispense with the services of Mr. Meadows, and perhaps one or both draughtsmen at the first December; the railway company had decided upon reducing expenses."

Benjamin Knight: Mr. Knight has been acting as despatcher's operator and relieving train despatcher on the Père Marquette Railway Company until after Mr. Gilhula, the chief despatcher, was appointed. He was receiving at that time $60 per month. He gave the following evidence:

'Q. How did you come to leave the service?—A. I was dissatisfied with the way in which they were using me.

'Q. In what way were they using you?—A. Taking me from a regular trick and offering me a position lower than my present wages.

'Q. They were taking you from that and placing you where?—A. As agent or operator wherever I wanted to go on the road.

'Q. Away from home?—A. Yes, sir.

'Q. At what wage?—A. $45.

'Q. What was the reason for their doing that?—A. They claimed I was not up to the standard, causing delays of trains.

'Q. Was there any real cause of their making such complaints against you?—A. There might have been one or two cases, not more than that.

'Q. Both Mr. Cain and Mr. Gilhula were not there until after the 20th December at least, would that assist you in trying to find out when they complained to you?—A. I received my notice on January first that my work was unsatisfactory.

'Q. From whom did you receive that notice?—A. Mr. Gilhula.

'Q. Had he given you any cause for complaining about your unsatisfactory work?—A. Never had.

'Q. Never mentioned any complaint?—A. No.

'Q. Had he reason for making any complaint?—A. Well, I cannot say that the had; I thought I was doing my work equal to the other men.

'Q. How long have you been a despatcher?—A. I think practically the third or fourth month after I took service with the Lake Erie people I was appointed relieving despatcher. I worked on the Michigan Central at Niagara Falls as train despatcher for ten years.

'Q. And you took charge at Ridgetown about two years ago?—A. Nearly, April 26, 1903.

'Q. Had you any complaints made against your work during any portion of that time?—A. Never.

'Q. Any accidents occasioned through your negligence?—A. None whatever.

'Q. So that during all that time your acting as despatcher gave satisfaction to those employing you?—A. To the satisfaction of Mr. Woollatt, Mr. Cameron, Mr. Bailey and Mr. Arnum, as I worked under them.

'Q. What about the Michigan Central, did you give satisfaction to them?—A. I did.

'Who was placed here in your stead?—A. Mr. Kirkpatrick.

'Q. How long had Mr. Gilhula been there when he placed Mr. Kirkpatrick in your position?—A. Mr. Kirkpatrick took my place on January 2.'

The evidence of Mr. Cameron, the former trainmaster, and of Mr. Arnum, who acted as chief despatcher prior to Mr. Gilhula's appointment, showed that they considered Mr. Knight a qualified train despatcher.

William A. Kirkpatrick.—Mr. Kirkpatrick succeeded Mr. Knight, and is a Canadian, and had been acting two and a half years as despatcher previous to his resigning. He gave the following evidence:—

'Q. What was the reason that caused you to resign?—A. We were not receiving proper treatment from our officials.

'Q. Which ones?—A. Mr. Gilhula especially.

'Q. In what way did they treat you improperly?—A. Regarding the delays occurring, he would not reason with me properly, I did not think. I showed him, on two or three occasions where delays could not be helped.

'Q. At other times he found fault with you?—A. Yes, sir, different occasions; I cannot just state them, but I was not fairly treated, I don't think.

'Did you tell him so?—A. Yes, sir.

'Q. What did he state?—A. He told me that he did not mean to say anything, that he was simply angry at something else at that time, but I did not think he should have accused me at the time of the delay, as the other despatchers and operators in the office were there, which did not look very well, when they knew the circumstances.

'Q. Was it in consequence of this fault-finding from time to time by Mr. Gilhula that you resigned?—A. Yes, sir, partly.'

Mr. S. J. Gary, an American, was appointed to succeed Kirkpatrick, but Gary resigned on April 19 and left the country.

Misses Amy McLean and Edna Steel.—These young ladies had been acting as stenographers, the former since February, 1904, and the latter since August 9, 1904. They were in the superintendent's office at Walkerville until the headquarters were removed to St. Thomas. They came to St. Thomas on November 28. Mr. Pyeatt became superintendent on December 1, and they acted as stenographers for him for one day, when they discovered that Mr. Pyeatt was dissatisfied with their work and had written a letter to Mr. Trump, of Detroit, asking him to send him a man stenographer. Upon seeing this letter, they both left the service. They were receiving $35 and $25 a month respectively. Mr. O'Loughlin succeeded Miss McLean, and a young lady from St. Thomas was appointed to fill the position of Miss Steel. Both Mr. Woollatt and Mr. Cameron speak in the highest terms of Miss McLean's abilities and work.

Contention of the Père Marquette Railway Company.

During the inquiry, Mr. Coburn claimed that the Père Marquette Railway Company did not come within the provisions of the Alien Labour Law, and subsequently he forwarded a statement, on behalf of the company, in which he submitted that the Act had no application to the company, for the following reasons, namely:—

(1.) The company is a foreign corporation temporarily residing in Canada within the meaning of section 5 of the Act; that it has acquired an interest in certain railway lines in Canada by virtue of section 284 of the Railway Act, 1903, and has a right to take possession of, improve and operate such lines. The executive officers of the company are all residents and subjects of a foreign country, and the officials of the company in Canada are simply servants of their departments: Mr. Pyeatt, the superintendent, under the general superintendent; Mr. McManamy, the assistant master mechanic, under the master mechanic; Mr. Leseur, the assistant engineer, under the chief engineer; Mr. Hunker, the storekeeper, under the general storekeeper, and so on; that each was sent into Canada by his immediate superior in the service of the company outside of Canada.

(2.) He also contended that what the Act forbids is importation and immigration, that is, a bringing in by some person or corporation resident in Canada, not the sending in by a person or corporation resident in a foreign jurisdiction.

(3.) He admitted that the above-named persons and others were furnished with transportation into Canada, but that such transportation was not furnished by any person or corporation subject to this jurisdiction, and that, therefore, there was no offence committed in Canada.

(4.) He also submitted that there was no evidence of any discrimination against Canadians; that some Canadians were dismissed from, or left the service of the company, but in every case a good reason had been shown, and there was no ground whatever for assuming that the question of their nationality had anything to do with their leaving the service.

In my opinion, the contentions on behalf of the railway company are not well founded. The first section of the Act reads as follows:—

'1. From and after the passing of this Act it shall be unlawful for any person, company, partnership or corporation, in any manner to prepay the transportation, or in any way to assist or encourage the importation or immigration of any alien or foreigner into Canada, under contract or agreement, parol or special, express or implied, made previous to the importation or immigration of such alien or foreigner, to perform labour or service of any kind in Canada.'

Findings and Recommendations.

It is shown in evidence that the Père Marquette Railway Company has acquired an interest and control of the railway lines formerly known as the Lake Erie and Detroit River Railway, the Erie and Huron Railway, and the London and Port Stanley Railway, all Canadian railways operating under the provisions of Canadian charters and subject to the laws of Canada; and that such control has been exercised since Januaray, 1902.

It is immaterial whether the directors of the new road or the shareholders reside in the United States or elsewhere, that part of the railroad operated in Canada does not take upon itself the laws of the country where these gentlemen may happen to reside. The Père Marquette Railway Company as owners of, or having a controlling interest in these Canadian railways, must submit to and are amenable to the laws in force in Canada, so far as it affects these lines operated in Canada, and are, therefore, for the purposes of such lines, residents in Canada, and having, as admitted by their counsel, brought in officers and others, all residents and subjects of a foreign country at the time they were so brought into Canada, and who came into Canada under contract of service made previous to such importation or immigration, have violated the Act to restrict the importation and employment of aliens. These persons being citizens of the United States, a country that has enacted and retained in force laws or ordinances applying to Canada of a character similar to the above-mentioned Act, are subject to the provisions of our Act.

Section 5 of the Act referred to by Mr. Coburn does not apply to or help the Père Marquette Railway Company, as shown in the evidence; that section was passed to exempt private secretaries, servants or domestics of a foreign citizen or subject temporarily residing in Canada; and skilled workmen, engaged by any person, partnership or corporation in or upon any new industry not at present established in Canada, provided skilled labour for that purpose cannot be otherwise obtained, and also professional actors, artists, lecturers or singers, or to persons employed strictly as personal or domestic servants.

The persons employed by the Père Marquette railway in Canada above mentioned do not come within the above provisions.

I find the following officials and servants came into Canada, being assisted in the way of transportation from the United States to Canada, under contract or agreement, parol or special, express or implied, made previous to their importation or immigration, to perform labour or service in Canada, and that, in my opinion, they are liable

to deportation by the Attorney General of Canada under the sixth section of the Act, namely:—John Samuel Pyeatt, superintendent; Everett E. Cain, trainmaster; James R. Gilhula, chief despatcher; Owen S. Leseur, assistant engineer; George M. Osborne, instrument man; John William O'Loughlin, stenographer; John McManamy, master mechanic; Werner C. Groening, general foreman; Charles Franklin Shoemaker, foreman boilermaker; Charles H. Shoemaker, boilermaker; William L. Hunker, storekeeper; all residing at the present time at St. Thomas, and Edgar Britton, district passenger agent, at present residing at London, Ontario.

The evidence shows conclusively that the positions filled by these men could be as well filled by Canadian citizens and British subjects. Mr. Pyeatt, Mr. McManamy, Mr. Leseur, Mr. Cain, Mr. Gilhula and Mr. Britton all admit that fact, and it is also shown in the evidence of Mr. Woollatt, Mr. Cameron, Mr. McKay, and others that Canadians and British subjects could be obtained to fill such positions. Mr. Pyeatt, when asked what efforts he had made to obtain Canadian officials, merely mentioned that he had applied to the Michigan Central and the Wabash railway for officers to fill some of the lower positions; but Mr. Woollatt in his evidence stated that he would not think of applying to those railroads, which were American. He gave the following evidence on that subject:—

'Q. From your very considerable experience as a railroad man, would you have any difficulty in filling all the positions I have referred to with Canadians?—A. No, sir, I would not.

'Q. Well qualified for the duties?—A. Perfectly.

'Q. And even if some of those resigned, you think you could have supplied their places with Canadians qualified and able to perform the duties satisfactorily?—A. Yes, sir.

'Q. Without any difficulty?—A. Yes, sir.

'Q. Would you go to the Wabash and Michigan Central to get men?—A. I think I would have gone to some roads having Canadians, such as the Canadian Pacific railroad, the Canada Northern, Canada Atlantic, Intercolonial, any other roads in Canada.

'Q. Not to the two American lines running through St. Thomas?—A. I think not.

'Q. You would not likely get Canadians there?—A. There are a number of Canadians there.

'Q. For these higher positions?—A. Probably not for the higher positions.

'Q. But you think there would not be any difficulty in getting them from the other roads, or even apart from the other roads?—A. Yes, sir.'

In my opinion, the policy of the present management of the Père Marquette Railway Company was to fill the higher positions with Americans, and, with that in view, they appointed Mr. Pyeatt and other officials to take charge of the work at St. Thomas, and Mr. Edgar Britton, district passenger agent, at London.

That there was a discrimination against Canadians is abundantly shown by the evidence. Immediately after Mr. Pyeatt was appointed, he appointed Everett E. Cain trainmaster, while Mr. Keith R. Cameron was acting as such, and had been so acting with satisfaction to the company and to his superior officers and the public.

Mr. Pyeatt, in his evidence, stated that he had complained to Mr. Cameron over a dozen times between December 1 and 20, 1904, as to the manner in which he was attending to his duties, and as there was no improvement by him, he had asked Mr. Cameron for his resignation.

I find upon the evidence that Mr. Pyeatt stated what he must have known was untrue when he made such a statement. He further stated that he had not appointed any one to take Mr. Cameron's position before his resignation was in; that statement was also incorrect, as Mr. Cain had been appointed before Mr. Cameron was requested to resign. He also stated that he had known Mr. Cain for six or seven years before his appointment, while Mr. Cain stated in his evidence that they were school-boys together, which, from their present age, must have been more than that number of years. He further stated that he saw Mr. Cain about December 10 or 12, 1904, about a position, when he told him that he had none at that time; while Mr. Cain stated that it was some time in November when he first spoke to him about a position, this being before Mr. Pyeatt was appointed superintendent; that the second time was about December 10 or 12, when he offered him a position, or, as Cain says, 'He told me to come up. He mentioned a position and told me to come up here and see him; I had nothing to do but do that.' I have no doubt whatever that Mr. Cameron's statement that no complaint was made by Mr. Pyeatt to him, as stated by Mr. Pyeatt, is true, and that Mr. Pyeatt had at or about the time of his own appointment agreed with Mr. Cain to appoint him to Mr. Cameron's position and carried out such intention before obtaining Mr. Cameron's resignation; and I hold that his actions toward Mr. Cameron, who is an intelligent, conscientious, capable and hard-working trainmaster, were unfair and unjustifiable and were for the express purpose of helping an American friend.

Mr. Pyeatt was also the means of appointing Mr. Gilhula chief despatcher, and Mr. O'Loughlin as stenographer. Mr. Arnum had been acting as chief despatcher, but the work being too heavy for him he asked to be relieved. Immediately after Mr. Gilhula's appointment portions of the work that had been done by the chief despatcher prior thereto were distributed amongst the train despatchers, thus relieving the chief despatcher from a portion of the work which Mr. Arnum had been doing as chief despatcher.

The evidence shows that both Mr. Pyeatt and Mr. Gilhula unnecessarily found fault with some of the subordinate officials, no doubt for the purpose of compelling them to resign their position so that their friends could be appointed. The cases of Mr. Cameron, Mr. Arnum, Mr. Knight and Mr. Tillson are in my opinion instances of such action.

The intention to discriminate against Canadians is, in my opinion, shown by the following evidence of Mr. Tillson:—

'Q. Was any general statement made (by Cain) as to what Pyeatt was going to do with the Canadian officials?—A. Well, he said, "We will have Gilhula here," Jim, he called him— and he says, "They will soon have more Missouri Pacific men here."

I have not entered into the question of whether the dismissals or resignations of the officials other than Mr. Cameron were proper under the circumstances set forth in the evidence, inasmuch as I find that even if they were not satisfactorily performing their duties others in Canada could be found to do the work as efficiently as any American, had an effort been made to appoint Canadians. I find no effort whatever was made to appoint Canadians for the positions now filled by Americans.

I have the honour to be,

Sir,

Your obedient servant,

JNO WINCHESTER,

Commissioner.

THE ROYAL COMMISSION

IN RE

THE ALLEGED EMPLOYMENT OF ALIENS BY THE PÈRE MARQUETTE RAILWAY COMPANY IN CANADA

MINUTES OF EVIDENCE

Issued by the Department of Labour, Canada

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PRINTED BY S. E. DAWSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1905

[1905—No. 36*d*.]

MINUTES OF EVIDENCE

London, Ont., April 24, 1905,
The Court House, 12 noon.

Present:

His Honour Judge Winchester, *Commissioner.*
A. O. Jeffery, Esq., K.C., *Counsel for the Dominion Government.*

His Honour Judge Winchester read the Commission appointing him.

The Commissioner.—I purpose examining Mr. Britton, who has charge of the passenger traffic in London, and then adjourn to meet at St. Thomas, where I have subpœnaed a large number of witnesses for to-morrow morning at 10 o'clock. I find the head offices are there, and consider it proper to have all the witnesses attend there as early as possible, and as soon as I find out exactly the condition of affairs, I will be able to decide where next to proceed with the investigation.

Edgar Britton, sworn, examined:

By the Commissioner:

Q. What is your position on the Père Marquette railway?—A. District passenger agent.

Q. When were you appointed to that position?—A. October 1, 1904.

Q. What had you been doing previous to that appointment?—A. District passenger agent at Toledo.

Q. In connection with the Père Marquette?—A. Yes, sir.

Q. Who appointed you?—A. H. F. Moeller, general passenger agent, at Detroit.

Q. Upon your appointment you came here?—A. Yes, sir.

Q. With your family?—A. I am boarding here; yes, sir.

Q. You are a married man, I understand?—A. Yes, sir.

Q. I presume they paid your transportation here, you and your family, from there?—A. Yes, sir.

Q. They paid that for you?—A. It does not have to be paid; I travel on transportation on all lines.

Q. What is the remuneration you are receiving now?—A. One hundred and twenty-five dollars per month and expenses.

Q. What were you receiving at the time of your appointment?—A. The same thing.

Q. There is no increase?—A. No.

Q. Was the office open here at the time you reached here?—A. Yes, sir.

Q. At the same place?—A. The same office.

Q. Who was in charge of it then?—A. Mr. Thomas Marshall. He had the title of general agent; he had charge of both freight and passenger.

Q. He is still in the service of the Père Marquette?—A. Yes. His title has been changed to division freight agent—too much for one man to look after in both.

Q. Is his remuneration the same as it was at that time?—A. Yes, sir.

Q. You found it too much for one man, and decided to separate the offices?—A. Yes, sir.

Q. Had there been an agent previous to your coming here?—A. No, sir.

Q. No agent?—A. No, sir.

Q. When was the office established in London?—A. April 23, 1904.

Q. With Mr. Marshall as general agent?—A. Yes, sir.

Q. Was there an office prior to that in London?—A. No, sir.

Q. Was there not one in connection with the Lake Erie and Detroit River railway?—A. No, sir, only the local freight office.

Q. Was that near the Grand Trunk?—A. No, that is our station on Colborne street; it is still there.

Q. Who was in charge of that?—A. R. J. Tait.

Q. What position does he occupy now?—A. Local freight agent.

Q. Was he there prior to Mr. Marshall's appointment?—A. Yes, sir, he reports to Mr. Pyeatt.

Q. To whom did you report?—A. Mr. H. F. Moeller.

Q. Is your salary paid from there or here?—A. It is paid from Cincinnati.

Q. That is the head office of the system?—A. Yes, sir, it is payable on the Walkerville Bank.

Q. Have they changed that from Walkerville to St. Thomas since the moving?—A. No.

Q. And cheques are still payable at Walkerville?—A. Yes, Bank of Commerce.

Q. What lines are you operating at the present day in connection with the Père Marquette?—A. It is all one system; I do not know what you mean.

Q. It is all one system now, but what were the original names of the lines you have absorbed?—A. Lake Erie and Detroit River.

Q. In Canada?—A. The Lake Erie and Detroit River, I believe.

Q. Is that the only one?—A. That is all I know of.

Q. Where does that line run from?—A. From Fort Erie to St. Thomas, and Walkerville to St. Thomas and London.

Q. Then you have the old Port Stanley?—A. The London and Port Stanley.

Q. What about the one running to Chatham, have you any charge of that?—A. I suppose that was the Lake Erie and Detroit River.

By Mr. Jeffery:

Q. It used to be the Erie and Huron?—A. I do not know about that.

By the Commissioner:

Have you charge of all these railways in Canada so far as passenger traffic is concerned?—A. No, sir.

Q. Who has?—A. Mr. Moeller, instructions come from him.

Q. How many passenger agents are there in connection with these lines in Canada, are you the only one?—A. I am the only man.

Q. So that you have really charge of these different lines in Canada?—A. Yes.

Q. You report to Mr. Moeller?—A. Yes, the local business is looked after by Mr. Moeller, I solicit business on the other lines.

Q. On the Grand Trunk and Canadian Pacific and Wabash, and such as that?—A. Yes.

Q. Mr. Moeller looks after your own lines?—A. Yes, locally.

Q. Who has he employed besides you in connection with this work in Canada?—A. No one.

Q. You are the only employee?—A. I believe the rest all come under Mr. Pyeatt, agents, all ticket agents.

Q. That is Mr. Pyeatt at St. Thomas?—A. Yes.

Q. He has charge of the whole system then in Canada?—A. Yes, sir.

Q. I suppose you are still an American citizen?—A. I do not know whether I am or not.

Q. Have you been one?—A. I was born in Canada.

Q. Have you ever voted for the President?—A. Yes, sir; I left here when I was a child.

Q. And you took upon yourself—— A. The right to vote.

Q. The rights of an American citizen, when you lived there?—A. Yes, sir.

Q. You have not taken the oath of allegiance in Canada?—A. No, sir.

By Mr. Jeffery:

Q. Did you go with your father over there?—A. About thirty-nine years ago; I was born in Waterloo county, here.

By the Commissioner:

Q. Ever since you were of age you have exercised the rights of an American citizen?—A. Yes.

Q. And have not become a Canadian or British subject?—A. No, sir.

The COMMISSIONER.—Do you wish to ask Mr. Britton anything, Mr. Jeffery?

By Mr. Jeffery:

Q. You say there was no agent of the Lake Erie and Detroit; I presume that is according to your knowledge only?—A. I know there was not; Mr. Marshall was the general agent previous to my coming here.

Q. Handling tickets, and so on, in the Masonic Temple?—A. That is a different thing.

Q. Billed up as the Lake Erie and Detroit River railway?—A. That is a different thing, that is not what the judge asked me; he asked me if I succeeded anybody here.

Q. I do not think he did, but it is quite a reasonable idea to take it that way; there had been an office?—A. Why, there was an office here, as I said before. Mr. Tait was agent here.

Q. Outside of Mr. Tait?—A. Dela Hooke, the Grand Trunk Railway, sold our tickets; Mr. Dela Hooke used to sell our tickets.

Q. He did a number of years ago, then you followed him by a gentleman that lived on Hyman street for a while, I do not know his name; you would not know that anyway, I suppose?

By the Commissioner:

Q. Who would know that? Would Mr. Pyeatt know all about that?—A. I don't know, I do not think so; Mr. Pyeatt has nothing to do with that portion of it.

By Mr. Jeffery:

Q. Mr. Wollatt would be the only one?—A. The old Lake Erie man? All the men employed here in town are Canadians that I know of; they all are in our office.

Adjourned at 12.15 P.M. to St. Thomas, April 25, at 10 A.M., at the Court House.

St. Thomas, April 25, 1905,
The Court House, 10 A.M.

The Commission resumed.

Present:

His Honour Judge Winchester, *Commissioner.*
A. O. Jeffery, K.C.

His Honour Judge Winchester read the Commission appointing him.

The Commissioner.—Last night I received a message from Mr. Pyeatt, the superintendent of the system in Canada, asking me to adjourn the examination of witnesses until two o'clock, to enable their counsel, Mr. Coburn, of Walkerville, to reach here. I have no objection to doing this, and I, therefore, adjourn till two o'clock, this afternoon.

The Commission resumed at 2 P.M.

Present:

His Honour Judge Winchester, *Commissioner.*
A. O. Jeffery, K.C.

Mr. Coburn was not present when the Commission resumed.

The Commissioner waited until three o'clock for him, but he did not appear, and the Commissioner then proceeded to examine the witnesses.

John Samuel Pyeatt, sworn, examined:

By the Commissioner:

Q. What is your position?—A. Superintendent, Buffalo division.
Q. Of the Père Marquette railway?—A. Yes, sir.
Q. What does the Buffalo division comprise?—A. All of the lines in Canada.
Q. Can you name those lines?—A. From Walkerville to St. Thomas, Sarnia to Blenheim, London and Port Stanley, and joint track from St. Thomas to Buffalo.
Q. What were their former titles?—A. Lake Erie and Detroit River, Erie and Huron, London and Port Stanley, and Michigan Central.
Q. When were you appointed superintendent?—A. December 1.
Q. By whom?—A. Mr. Trump.
Q. Where?—A. Detroit.
Q. What was your position at that time?—A. Chief clerk to the general manager and superintendent of telegraphs.
Q. In Detroit?—A. Yes.
Q. What was your wage or salary at that time?—A. $300 a month.
Q. And expenses?—A. Yes, when I was travelling.
Q. Not otherwise?—A. No, sir.
Q. You took possession of your present position on December 1, 1904; who were the officials in charge of the different departments at that time?—A. Mr. William Woollatt was superintendent. Do you want all the officials of all the departments?

Q. All that you know?—A. General officers.

Q. Yes, in Canada?—A. Mr. Harris was assistant engineer; Mr. Cameron was train master. Do you want any further than that? That is all I know of officials of the company.

Q. Those are all you remember?—A. Yes, sir. They had foreman of the shops, Mr. Royce.

Q. That is the mechanical department?—A. Yes.

Q. Who was the chief despatcher?—A. When I got here they did not have any permanent chief despatcher.

Q. Who was occupying that position?—A. The acting chief despatcher when I came to the office was Mr. Arnum.

Q. Who was chief engineer?—A. Mr. Alfred, Detroit.

Q. He had charge of the whole Buffalo division at that time?—A. Yes, sir.

Q. He worked it from Detroit?—A. Yes, sir.

Q. Can you give me the salaries of these different officers at that time?—A. No, sir, I know some of them.

Q. Which?—A. The train master and chief despatcher. The train master received $125 a month, and the chief despatcher $90 a month.

Q. And the superintendent?—A. I do not know his salary.

Q. You do not remember hearing of that?—A. No, sir.

Q. How long did Mr. Woollatt remain in charge as superintendent after you were appointed?—A. I succeeded Mr. Woollatt.

Q. He was superintendent up to the time you were appointed?—A. Yes, sir.

Q. What was his title, superintendent?—A. Yes.

Q. How long previous to your appointment was it that he left office?—A. He was superintendent on November 30, and I began on December 1.

Q. And it was so arranged that he would walk out when you walked in?—A. Yes, sir.

Q. Who arranged that?—A. The general superintendent.

Q. That is Mr. Trump of Detroit?—A. Yes, sir.

Q. He is still there?—A. Yes, sir.

Q. And he takes charge of the whole of the divisions?—A. All of the system.

Q. The whole system?—A. Yes, sir.

Q. What was the condition of the Buffalo division, that is the Canadian system, when you took charge?—A. That is a little bit general; I think it might be considered rather poor.

Q. A poor system; in what respects?—A. The power was in poor condition, that was the worst fault.

Q. What power?—A. The locomotives.

Q. In what way was that in poor condition?—A. It was just run down and needed repairs.

Q. Was that the mechanical part?—A. Yes, sir.

Q. And that was the worst part of it?—A. Yes; there were a great many other things contributing——

Q. In what condition were the other parts?—A. I should say, not satisfactory.

Q. In what respects?—A. The trains were badly delayed, running very late, very long time on the road, and what caused that might create a difference of opinion; I do not know just what did contribute to all of it.

Q. You have an idea what contributed?—A. I cannot say I have, because I was not here before that.

Q. But I suppose that would continue for a short time under your régime?—A. Yes; I have an idea that discipline had something to do with it, the main thing, perhaps.

Q. In what particular department do you refer to?—A. The transportation department.

Q. Who had charge of that?—A. Mr. Woollatt, the superintendent, and Mr. Cameron, as trainmaster.

Q. Did you speak to them with reference to it at all?—A. No, sir—I refer to Mr. Woollatt particularly. I certainly spoke to Mr. Cameron, who worked for me over a month.

Q. Did you complain to Mr. Cameron of the difficulties that the system was under?—A. Yes, sir.

Q. What did he say with reference to it?—A. At different times a great many things.

Q. Did you merely specify particular instances, or did you state generally that the system was not up to the mark?—A. No, I complained of the time trains were making; they were very late, running from 30 to 40 and 50 hours on the road, 117 and 27 miles.

Q. Did you explain how that could be overcome?—A. I had my ideas as to how it should be overcome.

Q. Did you explain it to him?—A. Yes.

Q. What did he answer?—A. He, of course, promised to do the best he could.

Q. And did he?—A. I have an idea he did.

Q. Did he improve it?—A. I don't think so.

Q. How often did you complain to him about the state of affairs?—A. From December 1 until the time he resigned.

Q. How many times, do you think, during that month?—A. I have no idea.

Q. A dozen times?—A. A great many more than that.

Q. Why did he resign?—A. I suppose because he thought he could not bring about a condition that would be satisfactory.

Q. Did he say so?—A. No, sir.

Q. Did he make any statement why he resigned?—A. No, sir.

Q. Did you ask for his resignation?—A. Yes, sir.

Q. When did you ask for it?—A. I do not remember the date.

Q. In December?—A. Yes, sir.

Q. Cannot you tell about the date?—A. About December 20, I think, perhaps a few days later than that; it might have been a little earlier.

Q. What led up to your asking for his resignation?—A. Because I did not think he was making an improvement as rapidly as he should.

Q. From the 1st to the 20th you complained to him over a dozen times as to the manner in which he was attending to his duty?—A. Yes, sir.

Q. And there was no improvement, you considered?—A. Not at all.

Q. Whom had you appointed before his resignation was in?—A. No one.

Q. Did you think of any one before that?—A. I had in mind, yes.

Q. Did you apply to Mr. Trump with reference to it?—A. I talked with Mr. Trump regarding it.

Q. Suggest to Mr. Trump any one?—A. Yes, sir.

Q. When?—A. I do not remember the date.

Q. About when?—A. It was some time in the middle of December.

Q. Some days before you asked for the resignation of Mr. Cameron?—A. Yes.

Q. Who was it you recommended for the position?—A. Mr. Cain.

Q. Where was he at that time?—A. He was in St. Louis at that time.

Q. What position was he occupying?—A. He had been with the Missouri Pacific and had resigned.

Q. Long before that?—A. I don't know how long; some time before, a week or two, I think.

Q. Were you in communication with him?—A. Not at that time.

Q. How did you know he had resigned?—A. He told me, when I was in St. Louis.

Q. You saw him personally?—A. Yes.

Q. When did you see him in St. Louis?—A. I think I was down there about the first part of December, December 10 or 12.

Q. Did you speak to him with reference to coming to Canada then?—A. He spoke to me about coming, and I told him I had no vacancy at that time, but might sometime.

Q. You promised to keep an eye out for him, did you?—A. Yes, sir.

Q. How long had you been acquainted with him before that?—A. Six or seven years.

Q. Were you on the Missouri Pacific, too?—A. Yes, sir.

Q. What position did you occupy on the Missouri Pacific?—A. Chief clerk for the manager.

Q. He was at that time on the Missouri Pacific?—A. Yes.

Q. Then, did you write to Mr. Cain after speaking to Mr. Trump about him?—A. No, sir.

Q. How did you communicate with him?—A. Mr. Cain came to Detroit, or met me in Blenheim—he came to Detroit first, and the people there sent him over to Buffalo division, or, rather, he came over the Buffalo division and met me at Blenheim, and I talked with him about it there and in St. Thomas.

Q. He had been speaking to Mr. Trump about it?—A. No, sir.

Q. How did he get to know about it?—A. He was not, to my knowledge, aware of any vacancy on the Buffalo division; he came over in search of employment.

Q. When?—A. I do not remember the date; somewhere in the middle of December, I should imagine, the 15th or the 20th.

Q. Cannot you get nearer than that?—A. No, sir, not by memory.

Q. Did you make any report to the Detroit office with reference to him?—A. I talked to Mr. Trump about him.

Q. Before that?—A. No, sir; no report.

Q. How long was it after you talked to Mr. Trump before he came to see you at Blenheim?—A. A week, I should imagine.

Q. Then, you saw Mr. Trump afterwards?—A. Yes, sir.

Q. And reported in favour of Mr. Cain?—A. Yes, sir.

Q. Can you give me any idea when you reported in favour of Mr. Cain?—A. A very few days before his appointment.

Q. At that time when you saw him in St. Louis, what positions were there that he could occupy under you?—A. None vacant at that time.

Q. What positions were there, vacant or otherwise?—A. Trainmaster or chief despatcher.

Q. The trainmaster is a superior officer to the chief despatcher?—A. Yes, sir.

Q. And these two were the only positions he could occupy?—A. No, sir; he could occupy a position in the train service, conductor, agent, I imagine.

Q. But I would like to go higher, superintendent, for instance?—A. Yes, sir, I have no doubt.

Q. That was the only position at that time in your division that you could give him that would be of service to him?—A. Yes.

Q. Did you speak about that to him in St. Louis?—A. The position of trainmaster?

Q. Yes?—A. I referred to the fact that I might have a vacancy in some department, and, if I did, I would be glad to consider him either as chief despatcher or trainmaster.

Q. It was only as to these two you might have a vacancy—were those the two positions you mentioned to him?—A. Yes, sir.

Q. In fact, there were no other positions you could have control over that would suit him?—A. No, sir.

Q. That was the first week in December you mentioned that to him?—A. Not the first week; I imagine it was the 10th or 12th.

Q. The second week in December, then?—A. Yes.

Q. Then, in about three days afterwards he came over?—A. I cannot say in three days; within a week, I think.

Q. Three or five days?—A. Yes.

Q. Had he an intuition that there was a vacancy to be provided for him?—A. He might have had.

Q. How would he gather that?—A. When a man is out of employment, he frequently gathers that intuition from vague insinuations.

Q. Do you think you gave him that vague insinuation?—A. I might. I was very willing, if anything should occur or come open that he would like to consider, to consider him for it, and told him so, if he were in search of employment and came over here.

Q. Where was he living at that time?—A. At St. Louis.

Q. How long had he been living there?—A. About a year, I think.

Q. A married man, I suppose, with a family?—A. Yes, sir.

Q. You gave him transportation over to St. Thomas about December 20?—A. No, sir, he came over about the 15th or 20th.

Q. I think he took charge of his present position about December 20?—A. The record shows that, I do not remember the date. If he took charge on the 20th, he came over a week—I thought it was later than the 20th he took charge, I thought it was about the 24th or 25th, somewhere along there; I may be mistaken about that.

Q. I think he and Mr. Gilhula came about the same date?—A. Yes, sir.

Q. And both, I think, arrived about December 20?—A. Yes, sir.

Q. He was over here about a week before that?—A. Yes, sir.

Q. To spy out the land and see the location?—A. To ask for employment.

Q. Did he come to St. Thomas?—A. Yes, sir.

Q. From Blenheim or from Detroit?—A. I met him at Blenheim.

Q. And you brought him along?—A. Yes, sir.

Q. He looked around and then went back?—A. Yes.

Q. He went back home, to St. Louis?—A. Yes, sir.

Q. And then returned with his family?—A. He did not bring his family with him.

Q. Not yet?—A. Yes, he did; his wife came back with him.

Q. You gave them transportation, I think?—A. No, sir.

Q. Did you not?—A. No, sir.

Q. I suppose they could ride free?—A. I have no doubt they could.

Q. The trainmaster ought to be able to have that privilege?—A. He was not trainmaster when he came over, though.

Q. Not on December 20?—A. He was trainmaster after he came over—the appointment was made after he arrived here.

Q. Mr. Trump approved of your report, and he was appointed?—A. Yes, sir.

Q. What salary?—A. One hundred and fifty dollars per month.

Q. Do you know what he had been previously receiving?—A. No, I don't know what he received with the Missouri Pacific.

Q. What are his duties as trainmaster?—A. He is in charge of the movement of trains.

Q. And the appointment of the train hands?—A. Yes, sir.

Q. Despatchers?—A. Yes, sir.

Q. He appoints them also?—A. Yes, sir.

Q. The train hands, I suppose, would cover engineers, conductors, brakesmen and baggagemen, and such as that?—A. Conductors, brakesmen and baggagemen; engineers and firemen are appointed by the master mechanic.

Q. Brakesmen, too?—A. No, sir; conductors, brakesmen and baggagemen by the trainmaster.

Q. Has he been appointing any since his appointment?—A. Yes, sir.

Q. He has taken the full charge and looked after the affairs of the company, as he ought to?—A. Yes, sir.

Q. You were born in the States?—A. Yes, sir.

Q. What part?—A. Arkansas.

Q. And have lived there all your lifetime?—A. No, sir; I have lived in the States all my life.

Q. And, of course, are an American citizen?—A. Yes, sir.

Q. And Mr. Cain one also?—A. Yes, sir.

Q. What were Cameron's wages, when he was asked to resign?—A. One hundred and twenty-five dollars a month.

Q. Mr. Cain gets $150?—A. Yes, sir.

Q. Do you think a Canadian could be found to do the work of superintendent of this road and of this division?—A. I have no doubt they could.

Q. Also the train master's duties?—A. Yes, sir.

Q. And despatcher's?—A. Yes, sir, if you knew where to look for them and had time to look long enough, I have no doubt you could.

Q. Did you look for them in Canada at all?—A. Yes, sir.

Q. Where?—A. On the Père Marquette.

Q. Are there any men on the Père Marquette, Canadians, that could have filled the position of train master?—A. I was not very well acquainted with the men on the Buffalo division when I came over and knew very little about them; there may be quite a few who could, but I did not know of any.

Q. Did you make enquiry?—A. I was naturally thrown in contact with the men when I was with them for 25 days before Mr. Cain's appointment, and I did not know of any one I cared——

Q. You were only appointed on December 1, and he was appointed really about the middle of that month, only two weeks afterwards?—A. Yes, sir.

Q. So that you had not very much opportunity to make enquiries?—A. Not very long.

Q. What enquiry did you make?—A. I do not believe you would go about that by making enquiries; you are acquainted with the men; I was acquainted with a good many of the men, saw their work and judged their ability according to my judgment to do so, and I did not know of any one I cared to appoint to the position of trainmaster.

Q. Were there any men on other roads in Canada fitted for that position?—A. I did not know of any.

Q. Did you make any enquiry?—A. No, sir.

Q. Despatchers, did you make any enquiry about them?—A. Yes, sir.

Q. Could you not find any?—A. I could not find any who were willing to go to work at the rate we would pay.

Q. What enquiry did you make?—A. I enquired through the Michigan Central: I have talked to the officers of the Michigan Central about despatchers and also the Wabash.

Q. Are they American?—A. The gentlemen I talked with?

Q. Yes?—A. I really could not say, I do not know them well enough, I met them when I came here.

Q. The two roads you refer to are American roads?—A. Yes, sir—I do not know that they are, the Wabash is, the Michigan Central traverses both countries; I do not know whether you can consider it an American road.

Q. It is not the Canada Southern now, it was considered a Canadian road then; it is the Michigan Central now?—A. I have no doubt you know more about it than I do.

Mr. JEFFERY.—It was absorbed the same way as the Père Marquette absorbed this.

By the Commissioner:

Q. However, what further enquiry did you make for the purpose of obtaining men for these positions—these are good positions, I suppose to railway men?—A. A position of despatcher?

Q. Yes—chief despatcher and train master?—A. Well, no, not at that time; the positions as they are paid now probably they are as good as any of them; they were not paid so much then.

Q. What were they being paid at that time?—A. Our positions?

Q. Yes?—A. Trainmaster, $125 per month, and chief despatcher, $90 per month.

Q. You did not make further inquiry for the purpose of obtaining a despatcher than what you have stated?—A. Not outside of St. Thomas; I did not have an opportunity; I was pretty busy on the Père Marquette; I did not have occasion to get out of St. Thomas in Canada anywhere.

Q. Did you not look anywhere in any of the other lines?—A. No, sir; I was not acquainted with any of the officers of the other lines.

Q. You did not advertise?—A. No, sir.

Q. Railway people, as a rule, do not do that?—A. I don't think they do, for positions of that sort.

Q. When was the present despatcher appointed?—A. The chief despacther—the appointment of the despatcher and trainmaster was made about the same day—perhaps, the trainmaster one day and the despatcher the next.

Q. Did you know the chief despatcher before that?—A. Yes, sir.

Q. Where had you become acquainted with him?—A. On the Missouri Pacific.

Q. How long ago?—A. Five or six or seven years ago; some time ago.

Q. You are referring to Mr. Gilhula?—A. Yes.

Q. What position did he occupy there?—A. Chief despatcher on the Missouri Pacific.

Q. Did you communicate with him as to taking a position under you?—A. He came to Detroit just about the time I left there, and said he was very anxious to go over; he lived in Canada, his people all lived over here; he was very anxious to get back, and when I had to have a chief despatcher, I sent for him.

Q. Did you write to him?—A. I telegraphed him.

Q. Have you got the telegram?—A. No, sir.

Q. What was the purport of it?—A. I told him there was a probable vacancy up here, and would be glad to have him come up for an interview.

Q. Do you remember the date of it?—A. No, sir.

Q. You could get that, I suppose?—A. I telephoned the message to the telegraph office.

Q. Which telegraph office?—A. I think it was the Canadian Pacific Railway; it was about the 15th, along about the middle of the month.

Q. I suppose there would be no difficulty in getting a copy of that telegram?—A. I don't know, there may not be.

Q. Where was he at the time?—A. At Decatur, Illinois.

Q. What doing?—A. Despatcher for the Wabash.

Q. Do you remember his salary then?—A. I don't know.

Q. Who was acting as despatcher for you at that time?—A. Mr. Arnum.

Q. What salary?—A. Ninety dollars a month.

Q. What salary did you offer Mr. Gilhula?—A. One hundred and ten dollars.

Q. How long had Mr. Arnum been in charge?—A. He was made acting chief despatcher, before I came to St. Thomas, by Mr. Cameron; the chief despatcher was laying off.

Q. And he was acting chief despatcher?—A. Yes, sir; I told Mr. Arnum that this position would be made permanent. He held it about two weeks, and said it was too heavy for him, he could not run it, and asked to be relieved.

Q. Did you find fault with Mr. Arnum's work?—A. No, sir.

Q. Did you complain to him at all?—A. No, sir—that is not quite right; I think I complained of the work of despatchers frequently in a general way; I had no serious complaint to Mr. Arnum.

Q. What was the nature of your complaints?—A. The way the trains were handled and delays occurring, and I was asking him to eliminate those delays all the time.

Q. How often did you complain to him?—A. I cannot say, not a great many times.

Q. As frequently as you complained to Cameron?—A. No. I don't think so; I was not in the office so much at that time; I was out on the road most of the time. I

think I saw Mr. Cameron more frequently, and I was quite sure Mr. Arnum was doing the very best he could, and I made no complaint personally against Mr. Arnum except in a general way about the way trains were handled.

Q. Complain to him about not remaining long enough hours there?—A. I do not remember of any such complaint.

Q. What hours have these despatchers; have not they got any specified times?—A. Despatchers have regular hours.

Q. What hours are they?—A. We have three despatchers that have eight-hour tricks, and one ten-hour trick; the chief despatcher has no regular hours.

Q. He is not there always?—A. I don't think any of them stay there all the time.

Q. You would not find fault if he were not?—A. No, sir.

Q. What time is he supposed to be there; take the time in the morning?—A. About eight o'clock.

Q. Then, how long is he supposed to remain there during the day?—A. I say there is no regular hours.

Q. You have some hours?—A. A reasonable time to work; we do not expect unreasonable things of any man.

Q. You expect a reasonable time?—A. Yes.

Q. What would you call a reasonable day?—A. During those times I was working ten, twelve and fourteen hours a day, and the chief despatcher, he is an official of the company, and has, as I say, no regular hours.

Q. You were all new men, and a new broom makes a clean sweep?—A. He was made chief despatcher when I came.

Q. What hours did you expect him to put in?—A. I would expect him to be there as long as he could remain without impairing his health, or as long as he was needed.

Q. Eight o'clock in the morning, what time at night—six o'clock?—A. He would work till six, and frequently came back after supper.

Q. Frequently would come back for how many hours?—A. There was no specified time; sometimes an hour and some times longer, so long as his presence was required.

Q. Suppose he was there about twelve hours in a day, you would not object to his going away then?—A. No, sir.

Q. Did you object to his not being there at certain hours?—A. I do not remember of objecting.

Q. You do not remember making that objection at all?—A. No.

Q. He asked to be relieved?—A. Yes, sir.

Q. What position does he occupy now?—A. Trick despatcher.

Q. At the same salary he was receiving?—A. Yes.

Q. $90 a month?—A. Yes, sir.

Q. What is your present salary?—A. $250 a month.

Q. And expenses?—A. Yes, sir.

Q. That is, living expenses?—A. Yes, sir.

Q. Would that equal the salary you had in Detroit?—A. Not quite.

Q. You are looking to the future?—A. I think we all do.

Q. The good time is coming when you expect to go up higher?—A. I hope so.

Q. You have of course that in view?—A. Yes, sir, that was the object of my coming here.

Q. Were these the only two men that you employed as officials since your regime commenced?—A. Yes, sir.

Q. Who employed the master mechanic?—A. Mr. Christie. It is assistant master mechanic; the master mechanic employed him.

Q. Who is master mechanic?—A. Mr. Kellogg now, at Grand Rapids.

Q. He has charge of the whole Père Marquette system?—A. Yes, sir.

Q. And the chief men are called assistant master mechanics for their divisions?—A. Yes.

Q. Do you know of Mr. McManamy's appointment?—A. Yes.

Q. When was that made?—A. I do not remember the date. It may have been about the first of the year, or it may have been in December; I do not remember; we have records that will show that.

Q. I think it was about the same time you were appointed, if my memorandum is right?—A. I have no doubt that may be so. Mr. Royce was foreman, and remained for some time, and I believe Mr. McManamy did come over——

Q. With you?—A. Not with me.

Q. About the first December?—A. I do not remember when he came over.

Q. Where did he come from?—A. I think from Saginaw.

Q. What was he doing there?—A. I don't know what his position was there.

Q. Mr. Christie appointed him?—A. Yes, sir.

Q. Who was Mr. Christie?—A. He was master mechanic at Grand Rapids.

Q. What became of Mr. Royce?—A. He left the service. I don't know where he is.

Q. When?—A. In January, I think.

Q. Why?—A. Mr. McManamy will have to tell you that; I don't know.

Q. Did you know Mr. McManamy before you came here?—A. No, sir.

Q. He was not on the Missouri Pacific?—A. I don't think he was. I never knew of him there.

Q. Who was his assistant?—A. He had none that I know of.

Q. Here now?—A. His foreman Groening, is foreman of the shop.

Q. Did not Mr. Groening come from the Missouri Pacific?—A. I don't think so. I never knew of him there.

Q. Would you likely know of him?—A. I would likely have heard of him. I was there for some time, and I never heard of Mr. Groening till he came over here.

Q. Mr. Gillam, is he not master mechanic?—A. No, sir.

Q. Is there such a person?—A. There was roundhouse foreman by that name.

Q. Not master mechanic?—A. No.

Q. I thought Mr. Groening was roundhouse foreman?—A. No, sir.

Q. Who is Mr. Gillam?—A. He was roundhouse foreman.

Q. He came from the Missouri Pacific?—A. He said he did. I did not know him there.

Q. Is he still there as roundhouse foreman?—A. No, sir.

Q. Where is he now?—A. I have no idea.

Q. Has he left your service?—A. Yes, sir.

Q When?—A. About two months ago.

Q. You knew Mr. Gilhula for five or six years in the States?—A. I knew him for some time.

Q. He was on the Missouri Pacific when you knew him?—A. Yes, sir.

Q. Is he an American citizen, too?—A. I don't know whether you would call him an American or not; he lived about one-half his life over here, and one-half over there.

Q. How did he vote?—A. I would rather you asked him.

Q. He never told you?—A. No, sir.

Q. What side of politics he was on?—A. No, sir, I have no idea what side of politics; I am not a politician.

Q. Railroad matters take up all your time?—A. I am afraid they do.

Q. Mr. Gary, did you appoint him?—A. He was employed as despatcher.

Q. Train despatcher—that is under Mr. Gilhula?—A. Yes, sir.

Q. Who employed him?—A. Trainmaster and chief despatcher have the employment of despatchers.

Q. You have not anything to do with that?—A. I am consulted on such matters.

Q. They recommend?—A. Yes, sir.

Q. Who recommended Mr. Gary?—A. Mr. Gary made an application to me, I referred it to the trainmaster, and it showed what experience he had had, and asked him if he wanted him, and he said he needed a man, and he was employed.

Q. Where was he at that time?—A. When he applied, I think he was at—I do not remember the town—I think some town in Kansas.

Q. He was on a railway there?—A. I think he was out of employment then .

Q. You gave him transportation over here?—A. From Detroit.

Q. From Detroit only?—A. Yes.

Q. I think you gave him a little further than that?—A. Perhaps we did.

Q. When his wife was coming over?—A. His wife came over two or three weeks after him.

Q. You gave him transportation up to Detroit to meet her, and from where she lived to Detroit, and then both back from Detroit to St. Thomas?—A. We may have done that.

Q. It is your usual way, at any rate, is it not, to give them transportation?—A. Yes, we do that over our own lines, but we do not ask foreign companies

Q. You did in this case, I think?—A. I am quite sure we did not.

Q. The Wabash?—A. Not when he came for employment.

Q. With his wife?—A. That was a month after he came up that his wife came up; he had been working for the company a month.

Q. In that case you would make an exception?—A. Yes, that is the usual rule—to give employees family transportation.

Q. He was not on the Missouri Pacific?—A. Not at that time.

Q. He left yesterday morning, did he not?—A. Yes, sir; he resigned last week, and he left yesterday morning.

Q. When did he resign?—A. Thursday or Friday, I believe.

Q. It is only fair to give some of your men back to the Missouri Pacific after taking so many from them?—A. I think so.

Q. Have you anything to do with the Civil Engineers Department?—A. No, sir.

Q. Who has charge of that?—A. Mr. Alfred, of Detroit.

Q. Do you know anything about Mr. Leseur's appointment?—A. Nothing at all.

Q. Or any one in that department?—A. No, sir.

Q. Had you anything to do with Mr. Groening's appointment?—A. No, sir.

Q. Do you know him?—A. Yes.

Q. Did you know him before he came here?—A. No, sir.

Q. Do you know where he came from?—A. I heard him say I think he came from either Detroit or Saginaw.

Q. What position has he?—A. General foreman in the shop.

Q. Who has charge of the round-house now?—A. Mr. Griffith.

Q. How long has he been in there?—A. About two months.

Q. Where did he come from?—A. Walkerville.

Q. How long had he been there?—A. He had been there a month or two, he was here formerly and was sent to Walkerville at his request; he lived there, and when Mr. Gillam left we brought him back, asked him to come back.

Q. Is he a Canadian?—A. I don't know.

Q. You don't know what he is?—A. No, sir.

Q. Do you know what Mr. Groening is?—A. No, sir, never asked him.

Q. Who is the storekeeper?—A. Mr. Junker is storekeeper.

Q. When was he appointed?—A. Two or three months ago.

Q. Where was he when he was appointed?—A. I don't know.

Q. Who appointed him?—A. The general storekeeper.

Q. Who is he?—A. Mr. Atherton.

Q. In Detroit?—A. Yes, sir.

Q. He appointed him there?—A. I presume he did; I did not see him, but he came over here.

Q. Who is your timekeeper?—A. Mr. Weelihan.

Q. How long has he been in charge?—A. I don't know; he was here when I came.

Q. Did you know Mr. McKay, the former chief engineer?—A. I met him three or four months ago; I never knew him before.

Q. Had he occupied that position as chief engineer of that division when you were appointed?—A. No, sir, Mr. Harris was appointed assistant engineer when I was appointed, about that time, and I think the same day.

Q. Mr. Harris succeeded Mr. McKay?—A. Yes.

Q. Where is Mr. Harris now?—A. I think he is in Detroit.

Q. Is he an American?—A. I have no idea.

Q. Was he appointed from Detroit to succeed Mr. McKay?—A. Yes, sir, he was in the chief engineer's office, I believe.

Q. Who did Mr. Gary succeed?—A. Mr. Kirkpatrick, I think his name was.

Q. Was Kirkpatrick under you?—A. He was under the chief despatcher.

Q. You had no personal knowledge of him?—A. Yes, I knew he was there.

Q. Was he a good despatcher?—A. No, sir.

Q. He was not?—A. No, sir.

Q. Did you discharge him?—A. He resigned.

Q. Why?—A. I supppose he resigned for the same reason that Mr. Cameron did.

Q. Was he requested to resign?—A. No, sir.

Q. Was his life made miserable for him because he could not do the work?—A. I hope not.

Q. Why did he resign?—A. He probably thought he could not do his work.

Q. Where is he now?—A. I have no idea.

Q. Was he found fault with?—A. Yes, sir.

Q. Was it because of that he resigned?—A. I think so.

Q. Who else was there there that acted as train despatcher?—A. Mr. Bailey, Mr. Arnum and Mr. Kirkpatrick.

Q. Those are trick despatchers?—A. Yes, sir.

Q. Was not there a Mr. Knight there?—A. Yes.

Q. Is he still in charge?—A. No, sir.

Q. When did he leave the service?—A. He left two or three months ago, I just do not know the date, I would say three months ago.

Q. Was he discharged?—A. He was relieved.

Q. That is a nicer way of putting it?—A. Yes.

Q. It does not hurt so much?—A. I do not think so.

Q. Why was he relieved?—A. For unsatisfactory service.

Q. Where is he now, have you re-appointed him?—A. He is an agent on the line. I think he is at Courtright, and I believe he resigned from there.

Q. Mr. Foreman told me he had resigned from there after you had appointed him to that position at Courtright as agent?—A. Yes, sir.

Q. Did he fill that satisfactorily?—A. I believe he said he could not fill it; I did not know that he was not satisfactory—I heard no serious complaint. He felt he did not know enough about the work.

Q. And you filled that with some person else?—A. Yes.

Q. Do you know Mr. Britton, the district passenger agent?—A. Yes, sir.

Q. How long has he been there?—A. I cannot tell you.

Q. He was there before you?—A. Yes.

Q. And you do not know who his predecessor was?—A. No, sir.

Q. Would it be difficult to find a Canadian to act as district passenger agent?—A. I think Mr. Moeller, general passenger agent, could answer that better than I.

Q. Don't you know sufficient about the running of the line to know that?—A. From my knowledge of Canadians I should say there are a great many Canadians could fill that position.

Q. But you do not know what means were taken to appoint one?—A. No, sir, that is entirely out of my department and I know nothing about that.

Q. What means were taken to appoint a Canadian in the place of Kirkpatrick?—A. About the same means that we have tried before; I enquired at different times of my associates in our business if they knew of any despatchers who were willing to work.

Q. Your associates would be on the Père Marquette?—A. No, the people we do business with, the Wabash, Grand Trunk and Michigan Central.

Q. Did you apply to the Grand Trunk?—A. I discussed the matter with their officials.

Q. Which one?—A. Mr. Ensell, trainmaster, and I spoke to Mr. Cunningham.

Q. Do you remember when you did that?—A. No, sir.

Q. What other means besides speaking to them were taken to fill the position by a Canadian?—A. None at all; I did not hear of any one that was recommended as being competent to fill the position, and had no one that I thought was competent.

Q. Who is your present stenographer?—A. Mr. O'Loughlin.

Q. When was he appointed?—A. In December.

Q. By whom?—A. He was employed by my office, by me.

Q. Where was he at the time of his employment?—A. Some place in Ohio.

Q. Springfield?—A. I do not remember the town, I did not pay enough attention to it.

Q. Did you know him personally before?—A. No, sir.

Q. How did you get acquainted with him?—A. A letter of application from him was referred to me by the Detroit office.

Q. What means did you take to ascertain whether he would accept?—A. I wrote him, I think, or telegraphed him, I don't know which.

Q. Who was in charge of that position at the time of his appointment?—A. They had a couple of little girls in the office; I don't know whether they were in charge or not.

Q. Do you know who was in charge?—A. They work for the office generally, I don't know that either one of them is specified as stenographer to the superintendent.

Q. You know whom you look to for the purpose of using as your secretary?—A. I used both of them, tried to use them once or twice.

Q. And did not succeed in getting good work?—A. No, sir.

Q. Did you try to get Canadian stenographers to take their place?—A. Yes, sir.

Q. How?—A. The same method, inquiring.

Q. Where did you inquire?—A. Round, over town and anywhere generally, everywhere to get a stenographer.

Q. Can you give me any particular place?—A. Mr. Foreman, the chief clerk in the office.

Q. It was through him?—A. Yes, he did the work for me.

Q. You did not put an ad. in the papers, a stenographer for the Père Marquette?—A. No, sir, I do not remember an ad.; there might have been, but I don't think there was.

Q. That is the usual way of getting a stenographer?—A. No, I don't think so, I never have done it in my life.

Q. You have not been employing many here?—A. Not here, but over the country I have employed quite a number, and I never advertised.

Q. Do you think it would be a difficult thing to get a Canadian stenographer?—A. It was at that time.

Q. How long did you try to get one?—A. A couple of weeks, I guess, we were trying to get a stenographer.

Q. To take the place of these girls?—A. Yes, sir.

Q. Were they not efficient?—A. No, sir.

Q. Have you lady stenographers now?—A. Yes, sir.

Q. How many?—A. One.

Q. Employed by you since these two young women left?—A. Yes, sir.

Q. What is this lady's name?—A. Miss Davis.

Q. How long have you had her?—A. Three or four months.

Q. What were you paying Miss Maclean as stenographer?—A. I don't remember. I think Mr. Foreman will remember. I think it was $25 to $35 a month, perhaps $40.

Q. How much are you paying Mr. O'Loughlin?—A. $60.

Q. Is he an American?—A. I think he is.

Q. You do not know anything about the air-brake officers?—A. No, sir.

Q. Who would know about them?—A. Mr. McManamy.

Q. He would come under Mr. McManamy's department?—A. Yes, sir.

Q. You report to Detroit, I suppose, and take your instructions from Detroit?—A. Yes.

Q. Can you tell me where Mr. Cameron is?—A. No, sir.

Q. Nor Mr. Woollatt?—A. Mr. Woollatt lives at Walkerville.

Q. He still lives there?—A. Yes.

Q. I was communicating, but I have not heard whether he is there or not?—A. He is not at home very much, he is in the coal business; I meet him on the road occasionally.

Q. Who did Mr. Groening succeed?—A. Mr. Stafford.

Q. Where is he?—A. In Grand Rapids.

Q. Is he still in the service of the company?—A. Yes, sir.

Q. Is he an American?—A. I think he is, he is either an American or an Englishman, he is from England.

Q. When was he appointed to St. Thomas?—A. About first January.

Q. And who did he succeed?—A. Mr. Royce.

Q. Where is Mr. Royce?—A. I can't tell.

Q. Was he discharged?—A. I cannot tell you that, he was working for Mr. McManamy.

Q. Can you give me exactly that telegram which was sent to Mr. Gilhula?—A. I told him I had a vacancy that would pay a certain amount.

Q. $110?—A. I think it was, and asked him to come up for interview.

Q. You had no correspondence, I understood you to say, with reference to Mr. Groening's appointment?—A. No, sir.

Q. Is there anything you would like to say yourself? I am sorry Mr. Coburn is not here to ask for anything which he thinks was possible in your interest. If he comes I am quite willing he should be allowed to ask you anything he wishes.—A. I do not think of anything we can say, except statements that are taken as complaining of our discrimination; I would like very much to have an opportunity to answer them if that would be given.

Q. Can you answer, then, further than you have done?—A. I think not, but I would like to ask you to find out who the men are that are working for the company now, and if they are not, why they are not working for the company, and satisfy yourself.

Q. That is what I am going to try to do with your assistance. I am going to make a further examination of the books at Mr. McManamy's office to-night, and I may ask you something to-morrow if necessary.—A. Could you do that to-morrow morning?

Q. Yes, I will try to get through to-night and let you off to-morrow.

EVERETT E. CAIN, sworn, examined:

By the Commissioner:

Q. You are trainmaster on the Père Marquette Railway?—A. That is my title.

Q. An American citizen?—A. Yes, sir.

Q. When were you appointed?—A. I think it was December 22.

Q. When were you first spoken to with reference to the appointment?—A. Well, Mr. Pyeatt was in St. Louis, I don't know just what time, I think the first time I talked to him about coming to Canada was possibly in November, although he had no encouragement to offer me then. I told him I was going to be out of a position December 1st, and as I had been with those people, of course I naturally thought I could

get a position with them again if they had anything. He knew of nothing then. He had not been appointed here at that time, but I told him after I was relieved there I would very likely come to Detroit, and I did; I don't just remember what time, and I came up there and came out to Blenheim and met him, and we talked over the matter, and I was approached about the position of trainmaster at that time, and I told him I would accept it, and I went back home. I did not want to come here till the first of the year, but I did come a little earlier, I changed my mind and came up here. I left St. Louis December 21, I am pretty near sure, and I came right through over the Wabash to St. Thomas. I had transportation over lines——

Q. Were you in the employ of the Père Marquette before that ?—A. No, sir, I was in the employ of the Missouri Pacific.

Q. You knew Mr. Pyeatt at that time, when you were on the Missouri Pacific ?—A. Yes.

Q. For about seven years, I think he mentioned ?—A. Something like that, we were schoolboys together.

Q. Are you not incorrect in saying that he was not appointed to this position as superintendent when he saw you in St. Louis?—A. When I first spoke to him no——

Q. I think he said he was ?—A. He was down to St. Louis twice; I spoke to him in November.

Q. I thought it was December 1 ?—A No, I told him I would be out of employment about December 1.

Q. When did you see him the second time ?—A. I do not just know what time it was in December.

Q. In St. Louis again ?—A. Yes.

Q. Did he offer you a position then ?—A. Yes.

Q. As trainmaster?—A. He did not offer me a position exactly, only he told me to come up, he mentioned a position and told me I might come up here and see him. I had nothing to do but do that, and I came up.

Q. Can you give me that date ?—A. When I came up ?

Q. No, when he told you ?—A. No, I have no idea.

Q. That if you came up he would see what he could do for you?—A. I don't know, I could not tell.

Q. I think he said it was about the 10th or 12th of December ?—A. Possibly so, something like that. My position, I might say, ended after the first December. I was in charge of World's Fair matters, and the Fair was over December 1.

Q. You were on the Missouri then ?—A. Yes.

Q. As train master ?—A. No, sir, chief clerk to the superintendent of transportation, Missouri Pacific.

Q. How did the conversation come up ?—A. Which conversation ?

Q. About coming over here ?—A. Just in the course of events, a man was looking for a position, he would very likely, if he had some friend that had a position that possibly had influence enough to get him another one, he would ask for one.

Q. Mr. Pyeatt thought that possibly you had an intuition that there was a vacancy to be provided for you because of his appointment here and your vacancy occurring ?—A. It might have been.

Q. Let us see what was actually said at St. Louis about your coming here ?—A. When I first talked to him he had nothing in sight.

Q. He was not appointed then himself?—A. No.

Q. Then in the second week of December you saw him there again ?—A. Some time along about then, I do not remember the exact date.

Q. What was the conversation you had with him then; he had been appointed then ?—A. Yes, he thought he could give me a position and told me to come up.

Q. As train master ?—A. Well, I really believe at that time he expected to put me in as chief despatcher, yes, that position was open.

Q. And because of that conversation you came over four or five days afterwards ?—A. No, it was a week or ten days.

Q. Because of that conversation ?—A. Yes. I came here December 21, and I was made train master instead of chief despatcher.

Q. You were not sorry for it ?—A. It did not make any difference to me.

Q. Forty dollars a month ?—A. Not a bit, that was not so much; I had a position; not working for the money exactly.

Q. I thought the most of us were ?—A. I mean when you are out of a position you want one no matter what it is.

Q. You were out of a position on the 1st December ?—A. Yes, sir.

Q. And because of that conversation with Mr. Pyeatt you came here and he employed you ?—A. Yes, sir.

Q. You think you reached here about the 21st or 22nd ?—A. It was the 22nd.

Q. Who was here first, you or Gilhula?—A. Gilhula I think was out learning the road the day I got here; he had come in another way, and he had come over our line.

Q. And got ahead of you ?—A. Yes, I did not know Mr. Gilhula was here before.

Q. You knew Gilhula before ?—A. Yes, I knew him in St. Louis, just slightly acquainted, I did not know Mr. Gilhula well; we had held the same position there at different times.

Q. How long was he on the Missouri Pacific ?—A. I don't know, I did not know him till I went to St. Louis.

Q. How long ago was that ?—A. I went to St. Louis a year ago last September.

Q. Was he living in St. Louis ?—A. He was until I went there, I relieved him.

Q. He was chief clerk for the transportation superintendent ?—A. Yes, sir.

Q. Where did he go after being relieved ?—A. I don't know.

Q. He left the road, did he ?—A. I think he did.

Q. Went to Rock Island ?—A. I could not tell just what road he did go on; he went up Iowa way, I think.

Q. Did you receive transportation to St. Thomas ?—A. I had transportation; I was pretty well acquainted when I was with the Missouri Pacific, I had annuals over other lines.

Q. You received $150 a month from the moment you took charge?—A. Yes, sir.

Q. Have not they increased your salary since you have been here ?—A. They have not said anything about it yet.

Q. Looking for it ?—I would be glad to have them say something of that kind.

Q. I thought they had increased all round ?—A. They increased some of the people in the office.

Q. Inferior positions ?—A. Some of the men in the office, yes, were increased, I think most of them got increased in the office, but I did not, and I felt rather slighted about that.

Q. What condition did you find the road in when you came ?—A. I thought it was about the worst I ever saw, that is what I wrote home.

Q. I suppose you would tell the truth when you were writing home ?—A. It was pretty bad, to tell you the truth, it looked bad in winter time, and for a man that was not used to real cold weather—the trains were using as high as 60 and 70 hours going over the division.

Q. Pretty bad winter, was it ?—A. It was pretty bad, the winter was not so bad, but they were not getting over the road.

Q. What was the difficulty, the snow ?—A. Various things.

Q. You were not accustomed to that down in St. Louis ?—A. I did not think I did much good by snow, I did not help the matter that way, but as Mr. Pyeatt said the power was bad and we did not have enough passing track room to properly handle it. Of course that was helped out in January a good deal by getting a few more passing tracks.

Q. Have you really improved it ?—A. Yes, I think so, they are getting over now in about ten hours.

Q. Over-working the men?—A. I have not heard of any complaint, any more than what I see in the newspapers.

Q. Do the newspapers say you are over-working them ?—A. Not very much.

Q. I have not seen them myself ?—A. I think the London papers; the men I have talked to are very well satisfied; they are making their money a great deal easier than they did then.

Q. By over-work?—A. No, we are not over-working them now; I think they are making their money a great deal easier now than then; you take the railroad men, the engineers and firemen, they will tell you they do not want to make overtime—when you are on the road over twelve hours you make overtime—and when they were on the road two or three days at a time going these 117 miles they were having some pretty hard times.

Q. Was that a constant occurrence, two or three days at a time from here to Walkerville, or was it only once in a while when there was a snow drift ?—A. I could not say as to that; when I came here they were having a great deal of trouble about shortage of water; I do not think I brought any more rain with me, but we did get more water in a little while; we had some soft weather.

Q. Providence assisted you ?—A. Possibly; you could not judge why they were having such a hard time before, that is a man that had not been here, and I am not saying anything about the people that were here ahead of me, but I say the road at that time, when I came here, I thought was about as bad as I had worked for.

Q. What was the cause of all that?—A. The main thing was the power; the trains were being delayed, they were handling too many cars; they did not give them a chance to get over the road.

Q. Who was the cause of all that?—A. I cannot tell you who was the cause; I presume the train master could have cut the trains down so that they could have gotten over the road; that is one of the first things we did was to get them to rigging that they could handle; if they found out they could not handle it, reduce it again, rating the engines, I mean. I think that made quite a difference in the time they used on the line. I do not say who was the cause. He may have had his instructions. I got mine, and I was told to get them over the road no matter what——

Q. From whom did you get your instructions?—A. Mr. Pyeatt, I am working driectly under him.

Q. You do not know whether the weather was to blame or what else was to blame than the man who had charge?—A. No, I would not say as to that.

Q. You were only here since December?—A. December 22nd.

Q. And the conditions have been rather severe since then?—A. We had some very severe weather in February, but not as bad as expected. The weather here I imagined was a good deal worse than it was in fact; I do not think it was so much worse than it was in St. Louis.

Q. There was a little snow and ice?—A. A little more snow, but I did not suffer any more than I did there.

Q. What men do you appoint?—A. Brakemen, conductors, baggagemen, &c.

Q. Have you appointed many since you took charge?—A. Quite a good many. I have hired most anybody that came along that had any experience at the time; some times you are short of men, and other times you have more than you want.

Q. You do not ask them about their nationality?—A. No, just see that they are white and know a little of something and I hire them.

Q. You draw the line at white?—A. Yes, I would not hire a colored man as a brakeman or conductor; I might use him as a porter somewhere.

Q. What wages were you getting when you were appointed here?—A. $150 a month; got the same.

Q. You got the same wages as you are now getting at the time that you were appointed here?—A. I have had the same thing here since I have been appointed.

Q. What wages had you been receiving on the Missouri Pacific?—A. $175.

Q. However, you were laid off on the first December?—A. Yes, my position had played out; I had taken it for the period during the World's Fair; that was all.

Q. Was that a larger salary than they usually gave?—A. Yes, sir, it was $40 a month increase over what they had been paying chief clerks; in fact I was just an extra man that came in there with that title to handle that passenger traffic.

Q. So that you got $40 a month more than the ordinary clerk would have got?—A. Yes. I kept another chief clerk under me.

Q. Did you ever act as train master before?—A. No.

Q. Never had any experience of that before?—A. I have been practically in charge several times where I have been chief despatcher when the train master was away, when he would get leave of absence.

Q. How long have you acted as chief despatcher ?—A. I have acted as chief despatcher in several different places on the Missouri Pacific system, and I do not know just how long.

Q. Up to the time of your present employment you have acted as chief despatcher but not as train master ?—A. No, sir.

Q. And as chief despatcher what was your salary?—A. $150; the same as I get here.

Q. It was just as good a position as you have ?—A. Yes, in fact it was a little more, I do not know as I am going up at all.

James R. Gilhula, sworn, examined :

By the Commissioner :

Q. You were born in the county of Kent ?—A. Yes, sir.

Q. About forty years ago ?—A. Yes, sir.

Q. You left there about twenty years ago ?—A. Yes.

Q. And went west ?—A. Yes.

Q. Struck the Missouri Pacific ?—A. Yes, sir.

Q. How long were you on the Missouri Pacific?—A. Eighteen years.

Q. As what ?—A. I commenced to work for them as telegraph operator in the despatcher's office, shortly after I went there I was made train despatcher, and about two years before I left there I was made chief despatcher.

Q. What salary were you receiving then ?—A. I first received $70 a month, and then it was increased to $80 a month as operator, and then when I first went to work as train despatcher I got $110, and that gradually increased to $120.

Q. How much are you getting to-day here?—A. $110.

Q. Has it not been increased lately ?—A. No, sir.

Q. I thought I saw something that you were getting $125 ?—A. No, sir.

Q. Where were you situated or settled at that time on the Missouri Pacific ?—A. In St. Louis, Missouri.

Q. All the time ?—A. Yes, with the exception of about four months, I was located at Jefferson City.

Q. Married there ?—A. I got married while I was in St. Louis.

Q. Your family with you here ?—A. Yes, sir.

Q. You received transportation when you came here ?—A. No, I got transportation myself.

Q. Have you brought your wife and family with you ?—A. Not when I came here.

Q. You subsequently have brought them here ?—A. Yes.

Q. And they have given you transportation ?—A. Well, I have got it on my own responsibility.

Q. That is without the cash down ?—A. The Père Marquette did not get it for me.

Q. You had sufficient influence with the other roads ?—A. Yes.

Q. Did you come over the Père Marquette road when your wife and family came? A. No, they came over the Wabash.

Q. And you came over the Wabash?—A. I came down as far as Detroit over the Wabash, and then I went over the line here.

Q. You applied for a position to Mr. Pyeatt?—A. Yes.

Q. When was that?—A. That was about November 15.

Q. What position did you ask for?—A. I was asking for a position as train despatcher or chief despatcher.

Q. You had known him five or six years?—A. Yes, sir.

Q. You knew of his appointment as superintendent of this division?—A. Yes, I did.

Q. And have you got a copy of the letter you wrote to him?—A. No, I made a personal application to him.

Q. Where?—A. At Detroit at the time I applied to him.

Q. He was not then superintendent?—A. No.

Q. That was about the middle of November?—A. Yes.

Q. Why did you apply to him?—A. I knew him personally, and he was chief clerk for the general manager, and our acquaintance, I naturally stepped around to ask him if he thought I could get employment over here in Canada.

Q. After he was appointed as superintendent did you write to him?—A. No, sir.

Q. How did you communicate with him?—A. He telegraphed me to come over here and see him, and he thought he could——

Q. Did he offer you a position?—A. Yes, he offered the position of chief despatcher.

Q. Did he state the salary?—A. I think it was $110.

Q. You think he mentioned that?—I think he did, I have not got the telegram.

Q. What did you do upon receiving the telegram?—A. I think I replied——

Q. You accepted it?—A. I do not know as I altogether accepted it.

Q. What did you do?—A. I came over here to see him.

Q. Did you reply to the telegram?—A. Yes.

Q. What was the reply?—A. I could not say the words, it gave him to understand I would accept the position, naturally I was anxious to come over here, and he knew that.

Q. Were you out of employment at that time?—A. Virtually so.

Q. Not doing anything?—A. Well, I was employed by the Wabash just during the World's Fair traffic there, and that was at an end at that time, and they were reducing their forces on account of it.

Q. You and Cain were pretty much in the same boat?—A. Yes, we were World's Fair people.

Q. I hope you got an extra salary for that?—A. No, I was getting just about what I got here.

Q. You were not as fortunate as Mr. Cain?—A. No.

Q. Do you employ the despatchers under you?—A. I recommend them for employment.

Q. Have you recommended any since your appointment?—A. I recommended Mr. Bailey to be reinstated, I recommended the appointment of despatchers, Mr. Andress.

Q. Any person else?—A. I recommended Mr. Gary, at the time we could not get any one else.

Q. Where was he?—A. He was looking for a position.

Q. You knew him over on the Missouri Pacific?—A. No, sir.

Q. Did you not know him over in the States?—A. No, sir.

Q. How did you get acquainted with him?—A. Through an application here for employment from him.

Q. Did you try to get a Canadian to take that position ?—A. Well, I believe I did. I inquired of the Wabash of any of the despatchers over there.

Q. Who was the Wabash man you inquired of there ?—A. Mr. McClarty.

Q. When did you ask him about it ?—A. I think I asked him over the telephone.

Q. You did not know sufficient about the Canadian men to make inquiries among them ?—A. No, I was not acquainted with them.

Q. McClarty was the only one you knew ?—A. Yes.

Q. He was the only one you did ask ?—A. I think I asked Mr. Babbit of the Michigan Central when I was over there one day, but he told me he did not have any one he could spare.

Q. How long were you in the States before you became an American citizen ?—A. I lived there about seven years.

Q. And then you took out papers there ?—A. Yes.

Q. Did you vote ?—A. I voted a couple of times.

Q. And you have lived continuously there since you left twenty years ago until you were appointed here ?—A. Yes, I always felt I was more a Canadian than I was an American, though.

Q. Have you not been speaking rather harshly against Canadian railroad men ?—A. No.

Q. Of late ?—A. No, sir.

Q. Just think ?—A. No.

Q. Because I have heard that you have, that you have been rather harsh on the Canadian railroad despatchers ?—A. No, not any more than was necessary to use discipline to get proper work.

Q. Have you spoken calling them rather harsh names ?—A. No, I do not know as I have.

Q. Possibly it might not be hard in your estimation ?—A. Well, I do not know what you mean.

Q. Have you called them damn Canadians ?—A. I consider myself a Canadian.

Q. That is not quite a straight answer, have you called them damn Canadians ?—A. No, sir.

Q. Not G—— damn Canadians ?—A. No, sir.

Q. Some men have stated they have heard you saying that, would they be saying what is untrue if they swear to that ?—A. I think they would, I do not use language of that kind.

Q. You know whether they would or not, you would know whether you did say that or not ?—A. I do not know what reason I would have for saying that.

Q. Do not argue; the question is whether you did or not, and you know better than I do, and it is for you to answer on your oath whether you did or not ?—A. I will answer no.

Q. You never called them that ?—A. No, sir.

Q. Never said they were damn Canadians ?—A. No, sir.

Q. And you would show these damn Canadians how an American crew could work ?—A. No, sir.

Q. Anything of that nature ?—A. No, sir.

Q. So that any man who swears he heard you saying that won't be swearing to what is true ?—A. I do not think he will.

Q. What were the terms you used with reference to Canadians ?—A. I do not remember of any time calling or saying any words of that kind.

Q. Are you in the habit of using those words at all ?—A. It would be spoken as a by-word; if I would say damn Canadians I would consider I was damned myself.

Q. Never mind arguing, because when a man begins to argue it is not a very good sign; it looks as if he was shielding a straight answer by argument, and that is not fair to you or me; you know what words you did use; I do not. Others have stated that you have used these words, have you or have you not ?—A. I have not.

Q. What words have you used?—A. I do not know that I have use any words that are harsh; sometimes things will annoy you and it is often the case you will make use of a by-word that would not be considered any attack, but for me to viciously say damn Canadians I did not.

Q. Are you accustomed to using such words?—A. I guess all railroad men swear some times.

Q. Pyeatt would not swear?—A. I do not know about that.

Q. You have your doubts about that?—A. Yes, sir.

Q. So that you may have used such words without intent?—A. If any words like that were used, it was not, I assure you, intended, because I have tried to do everything I could for the Canadians since I have been here, and I believe my work, if it was investigated, would show that.

Q. Then I will not ask you anything further about that, because that is between yourself and those who heard you. Gary you appointed under you; he has since resigned and gone back to the Missouri Pacific?—A. Yes, sir.

Q. How many Missouri Pacific men have you on this road now?—A. I do not think we have any.

Q. You won't go back on Cain?—A. I thought you had reference to those under my employ.

Q. No, I mean all?—A. I do not know, Mr. Cain, I presume.

Q. Anybody else—Mr. Gilhula; Mr. Cain was once a Missouri Pacific man?—A. Yes. I used to work for the Canada Southern one time.

At this point Mr. Coburn, counsel for the Pére Marquette railroad, appeared.

The COMMISSIONER.—Q. Was Gillam a Missouri man too?—A. I do not know him.

Q. So there are only three of you now at the head from the Missouri Pacific?—A. I did not come from the Missouri Pacific here.

Q. Well, do not go back on the Missouri Pacific now; the Missouri Pacific did well for you for eighteen years?—A. Yes, sir.

Q. You are a pretty good Missouri man; you left the Missouri Pacific at the time the World's Fair was over?—A. No, sir.

Q. When did you leave?—A. I left the Missouri Pacific almost about seven months before the World's Fair had been opened, and I went to work for a construction company, and after they got through with their contracts I was out of employment, and I secured a position as extra despatcher on the Wabash, and when the World's Fair traffic opened up and they put on extra men, I fell heir to one of their jobs; that was on the Wabash.

Q. Where did you go after leaving the Wabash?—A. I came over here just about the time they were dissolving their force, they had separated one department.

Q. Can you tell me the date of that telegram from Mr. Pyeatt to you?—A. I think it was about the 17th December.

Q. Who did you find in charge when you came here?—A. I think Mr. Arnum was acting.

Q. Was he an efficient despatcher?—A. Yes, he was doing very well, fair work.

Q. Would he be an efficient chief despatcher?—A. I do not know that I am capable to judge.

Q. I don't know, you have been a long time at that?—A. I have never seen any of his work as chief despatcher.

Q. You have seen his work as a despatcher?—A. Yes.

Q. And is it satisfactory?—A. Yes.

Q. Who else have you besides Mr. Arnum as despatcher?—A. Mr. Bailey.

Q. Is his work satisfactory?—A. Yes, sir.

Q. Any one else besides Mr. Bailey?—A. Mr. Black.

Q. Where did he come from?—A. He was promoted here from telegraph operator out on the line.

Q. He is a Canadian?—A. Yes

Q. And Mr. Bailey a Canadian?—A. I think he is.

Q. And Mr. Arnum?—A. I could not say.

Q. Have you any doubts about what his nationality is?—A. I think he is a Canadian.

Q. Who other besides Gary did you appoint?—A. Well, I recommended the reinstatement of Mr. Bailey.

Q. Not as chief despatcher?—A. No, as despatcher.

Q. He was chief despatcher at one time?—A. I think he was; I did not know him then.

Q. He was on your recommendation reappointed?—A. He was reinstated.

Q. Any one else besides Mr. Gary?—A. Mr. Andress has just been appointed despatcher.

Q. And that is all?—A. Yes.

Q. Is there anything else you can give me, any information about this?—A. I do not know anything.

Q. Do not speak harsh against Canadians after this.—A. I do not think you are treating me justly in that.

Q. If the statements are correct at all, I am not treating you harsh. I can assure you, because it is not one place, but it is several places they said you have repeated very objectionable words against Canadians; I was very much surprised to hear that you were a born Canadian and had done that?—A. I am surprised the charges were made, and I would like to have the opportunity of denying them.

Q. You have the opportunity and we will possibly have here some evidence to show whether your recollection is as good as theirs.

OWEN S. LESEUR, sworn, examined:

By the Commissioner :

Q. You are the chief engineer for the Buffalo division of the Père Marquette, I understand ?—A. I am assistant engineer of the Père Marquette Railroad, in charge of the Buffalo division.

Q. Who is the chief engineer ?—A. F. H. Alfred, with headquarters in Detroit.

Q. And your headquarters are in St. Thomas ?—A. Yes, sir.

Q. When were you appointed to that position ?—A. I came to St. Thomas, I think, the 20th or 22nd February.

Q. This year ?—A. This present year.

Q. Who sent you here ?—A. Mr. F. H. Alfred.

Q. What were you doing at the time you were sent here ?—A. I was assistant engineer in the Père Marquette Railroad at different kinds of work—whatever there was to do.

Q. Not anything definite, you had no headquarters, I mean, as distinct from Mr. Alfred ?—A. No, sir.

Q. You have headquarters now as distinct ?—A. Yes, sir.

Q. So that this was a new position to the one you formerly occupied ?—A. My title is the same, it is only a different employment.

Q. At what salary are you appointed?—A. $150.

Q. And expenses ?—A. Some expenses.

Q. When you were out on the road ?—A. Yes, sir.

Q. What was your salary previous to your appointment in February last ?—A. I have been receiving from $125 to $150 per month ever since I have been with the Père Marquette.

Q. What were you actually getting when you were appointed in February last ?—A. I think at that time, in February, I think I only got $125, and I had all expenses.

Q. What are your duties ?—A. I am in charge of maintenance and construction.

Q. Are the duties rather extensive at the present moment ?—A. No more so than any position of that kind.

Q. Are they increasing ?—A. Yes, sir.

Q. How many of a staff have you under you ?—A. In my immediate office ?

Q. Yes ?—A. I have a stenographer, and an instrument man, and a rod man, at present.

Q. Who are they?—A. George Osborne is the instrument man, and Gordon Dawson is clerk and stenographer, and Roy Hammond is rodman.

Q. You have no draughtsman at present ?—A. No, sir.

Q. Have you requested the appointment of a draughtsman ?—A. No, sir.

Q. Do you require further assistance than you are having ?—A. It will be likely we will have to increase the force.

Q. To what extent ?—A. I cannot say, it depends on what we have to do.

Q. You have always been kept busy since your appointment ?—A. Yes.

Q. Busy for three or four men ?—A. We have had plenty to do.

Q. For that staff you have ?—A. Yes.

Q. You have had that staff since your appointment ?—A. I increased it one man.

Q. Which man ?—A. Mr. Roy Hammond.

Q. When did you appoint him ?—A. Some time this month.

Q. Where is he now ?—A. He is in the office.

Q. Is he a Canadian ?—A. I do not know, I suppose he is, he lives here in St. Thomas.

Q. You are an American citizen yourself ?—A. Yes.

Q. Who is your immediate predecessor ?—A. W. H. Harris, I guess I have not got the initials right, J. W., I think, are the initials.

Q. Where is he now ?—A. He is still with the company, either in Detroit or Puddington.

Q. Is he an American, too ?—A. Yes.

Q. When was he appointed ?—A. Some time in December of last year or perhaps last November.

Q. Was he the assistant chief, just the same position as you are ?—A. His title was assistant engineer.

Q. The same position as you occupy to-day ?—A. Yes, sir.

Q. Who was it that he succeeded ?—A. I think Mr. Owen McKay.

Q. Do you know Mr. McKay ?—A. Yes.

Q. He is a Canadian ?—A. I think he is.

Q. How long was he on the road as assistant engineer ?—A. Since its construction, or almost since the first.

Q. Since the construction of the road ?—A. Yes.

Q. That is the road from Walkerville east?—A. Yes, sir, I think he was not on the road when it first started, but he was before it got a great ways out.

Q. Did he resign?—A. I don't know.

Q. Do you know when he left the road?—A. I think about the time Mr. Harris came here—no, he was still with the company at that time, in fact I do not know, but he is with them yet.

Q. You think he has something to do with them yet?—A. I know he has some duties.

Q. Of what nature?—A. Of a special nature.

Q. Only occasional duties?—A. Yes.

Q. Why is it he has occasional duties, is it because he knows so much about the road?—A. No, whenever they have certain kinds of work they want done they employ Mr. McKay.

Q. What salary are you paying Mr. Osborne?—A. $80.

Q. When did you appoint him?—A. He was here when I came.

Q. You came in February?—A. Yes.

Q. He came when?—A. Some time in the fall.

Q. December or January?—A. As early as December anyway, I do not know but before.

Q. Where did he come from?—A. He has been with the Père Marquette for a number of years.

Q. Where?—A. Two years ago he was on the Chicago division with me.

Q. In the United States?—A. Yes, sir.

Q. Was he appointed from there to here—I think he came from Saginaw?—A. He has lived in Saginaw.

Q. He is a young unmarried man?—A. He is not married.

Q. Then from Saginaw he came to St. Thomas?—A. He was down at Welland for quite a time.

Q. You did not appoint him?—A. No.

Q. You do not know whether Mr. Harris did?—A. No.

Q. Are there any Canadian civil engineers qualified for the position you occupy?—A. I presume there are.

Q. You have never had occasion to inquire?—A. No.

GEORGE M. OSBORNE, sworn, examined.

By the Commissioner:

Q. What is your position with the Père Marquette Railway?—A. Instrument man.

Q. And leveller, I suppose?—A. Yes, sir.

Q. Fully occupied?—A. Yes.

Q. Since when?—A. I will be here in St. Thomas since January 22.

Q. I refer to St. Thomas; I suppose your appointment here is from the time you came here?—A. Yes.

Q. Who appointed you here?—A. Mr. Alfred appointed me, I came from Welland.

Q. Where is Mr. Alfred?—A. Detroit.

Q. Is that where he appointed you?—A. I came from Welland.

Q. Where did he appoint you?—A. At Detroit.

Q. When was it he appointed you?—A About the latter part of January some time.

Q. Before January 22?—A. Yes, sir.

Q. At what salary?—A. $80.

Q. As instrumnt man?—A. Yes.

Q. You had been in the service of the company previous to that?—A. Yes, sir.

Q. As instrument man?—A. Yes, sir.

Q. Where?—A. All over.

Q. Could you give me anything more definite?—A. Welland, Steiner and different places on different divisions.

Q. In Canada?—A. At Welland in Canada.

Q. Only at Welland in Canada?—A. Yes, sir.

Q. How long were you at Welland in Canada?—A. About a month or six weeks.

Q. Immediately previous to January 22?—A. Yes.

Q. And prior to that you were always occupied in the United States?—A. Yes, sir.

Q. You were born in the United States?—A. Yes.

Q. How many years ago was that?—A. Twenty-five.

Q. You are an American citizen, I suppose?—A. Yes, sir.

Q. Where did you live in the States?—A. Saginaw, Michigan.

Q. How long have you been connected with the Père Marquette?—A. About six years.

Q. As instrument man all the time?—A. No, sir.

Q. In what capacity?—A. Axeman, chainman.

Q. Always with civil engineers?—A. Yes, sir.

Q. You have grown up in that way?—A. Yes.

Q. I understand you are not a married man?—A. No, sir.

STEWART AUSTIN, sworn, examined.

By the Commissioner:

Q. You live at Walkerville?—A. Yes, sir.

Q. Have you been living there for a number of years?—A. Yes, sir.

Q. In the service of the Père Marquette Railway Company?—A. Yes, sir, and the Lake Erie and Detroit.

Q. Before the Père Marquette?—A. Yes.

Q. What positions have you filled there?—A. Mechanical superintendent.

Q. Do you still fill that position?—A. No.

Q. Why?—A. I resigned.

Q. Why?—A. In the fall of 1903.

Q. Why?—A. I thought they were getting a little too much for me, a little too much on my head, and I was getting up in years, and I thought I would step down a little bit.

Q. Was there fault being found with your work?—A. No, sir, no fault that I am aware of.

Q. Was there too much work for you?—A. They were getting too many engines, too much to do.

Q. You could do one engine, but when it came to two, that was one too many?—A. No, we had lots of them.

Q. Who has filled your position since?—A. Mr. Christie was appointed over me, I worked for the Père Marquette under him for some time, and then I gave up and went back running again, I was an engineer before I accepted that position, in 1898, for the Père Marquette people; I have been thirteen years with the Lake Erie, and it was coming a little too thick on me, beginning to lose my nerve a little, and I could not sleep at night some times, so much trouble on the road, and then I went back to running again on the engine. I ran a couple of summers, I did not work in the winter time, I ran in the summer time, and Mr. McManamy and I were talking one day this last spring over at the shop and I was telling him how Mr. Christie had used me—he was master mechanic over me—and I asked him for the position of foreman in the round-house, and he said there was not going to be any foreman in the round-house there.

Q. You are referring to Walkerville?—A. Yes, and then I accepted, of course, the running of the engine for the time, and Mr. McManamy asked me if I would take the position of round-house foreman there again, and I said I would, and so I started there on the 20th of last month as round-house foreman.

Q. What salary are you getting now?—A. $70 a month.

Q. What salary were you getting when you were master mechanic?—A. $115.

Q. Is the work as great now as it was when you were there, as master mechanic?—A. Oh, yes, it is a good deal more now.

Q. And you wouldn't undertake to do it now?—A. No.

Q. Not for twice the money?—A. No.

Q. So that your reduction was an honest reduction?—A. Yes.

Q. At your own request?—A. Yes.

Q. You are satisfied where you are in preference to where you were?—A. Perfectly satisfied.

Q. You are a Canadian?—A. Yes, sir; well, I am Scotch.

Q. I was informed you had been reduced, and I was not quite certain why it was you were reduced, and for that reason I was anxious you should come and tell your story as you have done; is there anything else you would like to say in connection with the change on the road?—A. No, I have no fault to find.

Q. What works are there up there now?—A. There is nothing there but the round-house.

Q. So that you are your own master and nobody to watch you there ?—A. I do not know, if anything goes wrong they soon watch me, but we have a very good man, Mr. McManamy.

Q. I have heard him very highly spoken of ?—A. He is a very nice man.

Q. I understand since you have charge there the works have all been removed to St. Thomas ?—A. Yes, sir.

Q. You would not undertake to come to St. Thomas ?—A. No.

Q. How old are you now ?—A. 65 last January.

Q. You are young yet ?—A. They tell me I am getting younger, I do not believe it though.

BENJAMIN KNIGHT, sworn, examined:

By the Commissioner:

Q. You live in St. Thomas ?—A. I do.

Q. For how many years ?—A. About five months.

Q. Where did you live before that ?—A. Ridgetown.

Q. How long there ?—A. About fifteen months.

Q. Where before that ?—A. Niagara Falls.

Q. How long have you been in the employ of the Père Marquette Railway ?—A. About a year and ten months.

Q. Are you a Canadian ?—A. I am.

Q. What are you employed at ?—A. Despatcher's operator and relieving train despatcher.

Q. You were under Mr. Gilhula?—A. I was.

Q. He took charge in December last ?—A. I think so.

Q. At that time you were what he termed one of the trick despatchers ?—A. I was.

Q. What salary were you receiving then ?—A. $60 a month.

Q. What are they getting now ?—A. $90.

Q. Were the others only getting $60 too ?—A. They were.

Q. That was in December, 1904; how did you come to leave the service ?—A. I was dissatisfied with the way in which they were using me.

Q. In what way were they using you?—A. Taking me from a regular trick and offering me a position lower than my present wages.

Q. Let me understand; you were on a regular trick at $60 a month ?—A. Yes.

Q. They were taking you from that and placing you where ?—A. As agent or operator wherever I wanted to go on the road.

Q. Away from home ?—A. Yes, sir.

Q. At what wages?—A. $45.

Q. What was the reason for their doing that ?—A. They claimed that I was not up to the standard, causing delays of trains.

Q. Was there any real cause of their making such complaint against you ?—A. There might have been one or two cases, but not more than that.

Q. During what time would there be one or two cases?—A. Shortly after Mr. Cain and Mr. Gilhula took charge. Mr. Cain went over the road on a local train, and I asked the question how long it would take them at a certain place, and they said 50 minutes, and they were 1 hour and 35 minutes, and consequently the crossing of the other train I had with this train that Mr. Cain was on received 1 hour and 35 minutes delay.

Q. Whose fault was that ?—A. I would consider it Mr. Cain's fault.

Q. Why ?—A. Because he being train master, should have given me better information than that.

Q. And you acted according to your instruction?—A. I acted according to my own judgment, when he told me it would be about 50 minutes. I suppose it was Mr. Cain who was practically running the train.

Q. He is train master ?—A. Well, of course, the conductor was running the train, but he was in charge, cleaning up the road, which I did not know he was doing; that is, cleaning up stations.

Q. You did not know the nature of the work ?—A. No.

Q. And instead of your thinking it was 50 minutes he thought it would be an hour and 35 minutes?—A. No, instead of it being 50 minutes, they were about 1 hour and 35 minutes making a point at which I had already made the arrangement to meet this train.

Q. Is that the only complaint they made against you ?—A. That was the only complaint, that was verbal.

Q. When was that complaint made?—A. It was about between the 15th—well, I could not say, it was in December some time.

Q. Both Mr. Cain and Mr. Gilhula were not there until after December 20, at least, would that assist you in trying to find out when they complained to you?—A. I received my notice on January 1 that my work was unsatisfactory.

Q. From whom did you receive that notice ?—A. Mr. Gilhula.

Q. Had he given you any cause for complaining about your unsatisfactory work?—A. Never had.

Q. Never mentioned any complaint ?—A. No.

Q. Had he reason for making any complaint ?—A. Well, I cannot say that he had; I thought I was doing my work equal to the other men.

Q. Were you doing your work to your own satisfaction ?—A. I was as far as the handling of my particular work, as far as the train orders were concerned I was doing my work to my own satisfaction, but the movement of the trains were not to the satisfaction of any one on account of the power.

Q. Whose fault was that, the want of power ?—A. I don't know.

Q. That was not your fault ?—A. No.

Q. You had no control over that ?—A. No.

Q. You think possibly there were two complaints against you, were there ?—A. Only one, one verbal and one written.

Q. What was the written one ?—A. The one with regard to a train; it seems Mr. Gilhula had some work for a passenger train, taking off engines, changing engines, changing coaches, and I had already made my arrangement with the train to bring him to Chatham, and it took longer than they expected for this passenger train to make this change and the freight train instead of it moking Chatham on the time I had already given, it went in at a blind station, and had to remain there for about an hour and twenty minutes.

Q. Whose fault was that ?—A. I would consider it Mr. Gilhula's fault in a sense, on account of him knowing the condition of the train that he was working at.

Q. Did he not tell you the condition of that train ?—A. No, although I knew it, but too late to make a change on the passenger train.

Q. Did either of these occurrences occasion damage to the railway ?—A. Not to my knowledge.

Q. Did you ever hear it did ?—A. No, sir.

Q. How long have you been a despatcher?—A. I think practically the third or fourth month after I took service with the Lake Erie people I was appointed relieving despatcher. I worked on the Michigan Central at Niagara Falls as train despatcher for ten years.

Q. And you took charge at Ridgetown along about two years ago?—A. Nearly, April 26, 1903.

Q. Very nearly, two days yet; so that you had that experience of over eleven years at this time; had you complaints made against your work during any portion of that time?—A. Never.

Q. Never had complaints before?—A. No.

Q. Any accidents occasioned through your negligence?—A. None whatever.

Q. So that during all that time, you acting as despatcher gave satisfaction to those employing you?—A. To the satisfaction of Mr. Woollatt and Mr. Cameron and Mr. Bailey and Mr. Arnum as I worked under them.

Q. What about the Michigan Central, did you give satisfaction to them?—A. I did.

Q. Why did you leave the Michigan Central?—A. They closed the office in which I was employed, and offered me a position at $45, $15 less than what I was getting, and I resigned.

Q. You came to Ridgetown and remained there for 15 months, and continued on here till after Mr. Gilhula's appointment?—A. I was about a year and ten months altogether.

Q. About 15 months at Ridgetown and 5 months here; did they discharge you from here?—A. No.

Q. Did they not discharge you from the position of trick despatcher—the word discharge is a little harsh, supposing we use the word relieve, did they relieve you from the position of trick despatcher?—A. They did.

Q. Who was it they placed in your stead?—A. Mr. Kirkpatrick.

Q. Who placed Mr. Kirkpatrick there?—A. I presume the chief despatcher.

Q. Mr. Gilhula?—A. Yes.

Q. How long had Mr. Gilhula been there, when he placed Mr. Kirkpatrick in your position?—A. Mr. Kirkpatrick took my place on January 2.

Q. Had he been there previously?—A. He was third trickman.

Q You were what?—A. I had charge of the Erie and Huron; previous to that I was third trickman, and Mr. Kirkpatrick was second trickman, Mr. Black had first, and Mr. Arnum was relieving chief train despatcher.

Q. In the place of Mr. Bailey, who had been chief train despatcher; then how long did Mr. Kirkpatrick remain after his appointment on the 2nd to your position?—A. I should judge about four weeks.

Q. Was he relieved then?—A. Yes, sir.

Q. By Mr. Gilhula?—A. Well, I could not say as to that.

Q. Did you accept the position they offered you at $45 a month?—A. I did.

Q. Where was that?—A. Courtright agency.

Q. You went there?—A. Yes.

Q. Had nothing else to do, I suppose?—A. No, I had nothing else.

Q. Nothing else in view?—A. No.

Q. How long did you remain at Courtright?—A. About four weeks.

Q. Were you kept as busy there as you had been down here?—A. No.

Q. That would bring you up to the end of January?—A. No, I took charge on the 17th.

Q. What had you been doing between the 1st and the 17th?—A. I was home, simply lying around.

Q. You would not accept anything ?—A. I wanted to go home, I wanted a rest.

Q. This position at Courtright was waiting for you to take ?—A. Not particularly waiting for me, just happened to be a vacancy there, and they wanted me to accept it.

Q. And you would not accept it at first ?—A. I would not accept it on account of having no knowledge of agent's work.

Q. But you had knowledge of operating ?—A. I had.

Q. And agent's work, was that difficult to learn?—A. No, I do not think so for those that would like it.

Q. I suppose the fact was you were a little bit disgruntled ?—A. No.

Q. That was the reason you did not go there at once ?—A. No, I did not, Courtright was open till I returned from home. from my father's.

Q. You went to Niagara Falls ?—A. No, I went to Aylmer.

Q. That is where your father lives ?—A. Yes.

Q. Are you a married man ?—A. Yes.

Q. Your family here ?—A. Yes.

Q. You remained for a month, bringing you to the middle of February, and what did you do then?—A. I returned to St. Thomas with the understanding I was to accept the agency and operator at the London and Port Stanley station here in St. Thomas.

Q. Who gave you to understand you were going to get that?—A. I had a letter from Mr. Pyeatt.

Q. Offering you that position?—A. Yes.

Q. At what salary?—A. $45.

Q. Did you go there then?—A. I went down and stayed there long enough to write out my resignation.

Q. Why?—A. I considered that the taking of a baggage man away from that office that had always had a baggage man there, and putting a boy in to assist in the handling of the baggage, that I could not stand the work.

Q. How old was the boy?—A. I guess he is twenty-one.

Q. Strong enough to do the baggage work?—A. I think he failed, he simply resigned since.

Q. Unable to do the work?—A. I thought that was the reason.

Q. That was the reason you resigned also?—A. Principally.

Q. You are not in their service now?—A. No.

Q. What are you doing now?—A. I am home.

Q. You are not in any employment at all?—A. No.

Q. You know Mr. Kirkpatrick?—A. I did.

Q. What was the nature of his work, was it satisfactory, to your knowledge?—A. I speak in a general way that everything seemed to be working smoothly under his hours; of course the train despatchers had a great deal to contend with during that time.

Q. Why?—A. On account of power; power always led up to the fact that the delays were caused by something wrong.

Q. Who was in charge of the power at that time?—A. I do not know, the superintendent or the master mechanic.

Q. Both are new men; was not it occasioned because of the inefficiency of these men prior to Mr. Pyeatt and Mr. McManamy taking charge?—A. To keep up the engines?

Q. Yes?—A. I presume that was the case, things went on a good deal different after Mr. Pyeatt came here because he got the means to work with.

Q. He had more means?—A. Yes, that is what I understood.

Q. Was the same company over them during your regime, the Père Marquette Company?—A. Yes.

Q. The same directors?—A. I think so.

Q. Was not the same amount of money expended in keeping up these engines and train service as is now expended?—A. I could not say, the superintendent has a great deal to do, I presume, with the handling of his division. Perhaps Mr. Woollatt could have received the same amount of assistance as Mr. Pyeatt did if he had asked for it, may be he did ask for it.

Q. Do you think everything depends upon the amount of money placed at the disposal of the road?—A. I think whatever the superintendent says goes a good deal.

Q. Provided the directors give him what he wants; were you there at the time of Mr. Gary's appointment?—A. No. I was at Courtright during that time.

Q. Is there anything else you wish to say, Mr. Knight?—A. Nothing that I know of.

By Mr. Coburn:

Q. I understand that one reason of your not continuing as despatcher was you did not feel up to the work, is not that the case—did not you tell Mr. Cain you were not a despatcher?—A. I told those men that I did not consider that I was a first-class train despatcher, but they did not give me a chance to show I was a first-class train

despatcher or a fourth-class train despatcher; I think I explained that to Mr. Cain and Mr. Gilhula.

Q. At any rate you told them you did not feel able to do the work they were asking you to do?—A. I might say for the information of the judge that when I told Mr. Gilhula that—you must remember that I was working under difficulties, and while I was handling the whole system previous to Mr. Gilhula taking charge I was then third trick, having the whole system in my hands from 11 o'clock till 7 o'clock in the morning, and then taking the Erie and Huron, 66 miles, where all the complaint was—there were no complaints with the 320 miles of road that I was handling previous to that—but Mr. Gilhula when he took charge gave us to understand that we were to handle all crippled cars, look after crippled cars, to get the men out to work at them, order them picked up, and I was doing that, and the other train despatchers were not doing that, which I knew to be a fact, and I told Mr. Gilhula under the circumstances I was working under difficulties, that I was doing a great deal of work that the other train despatchers were not doing, and at the same time I was repeating operator for the entire Erie and Huron system, doing my train work as well. The other train despatchers handled no messages at all. Mr. Gilhula told me in his office that he considered I was doing some of his work, which I had not ought to have done, he admitted that.

Q. The work you were doing at Niagara Falls, you say you worked as despatcher there; what despatching was done from Niagara Falls?—A. Handling of the trains between the two yards.

Q. Just between the yards, not out on the line at all?—A. No.

Q. It did not compare at all with the work of despatching on the division?—A. I kept up a train sheet for the eastern division of the Michigan Central; of course we used to figure and do the same kind of work.

Q. Their despatching office for the division is at St. Thomas?—A. Yes.

Q. And you was simply a sub?—A. Yes.

Q. Doing the work for the yard?—A. It was intended to make a train despatcher of that office, that was the intention.

Q. That was the beginning?—A. Yes.

Q. From there they would have to be promoted to St. Thomas?—A. Yes.

The COMMISSIONER.—Do you know if there would be any difficulty in getting Canadian despatchers?—A. I do not think so.

Q. I mean capable train despatchers equal to Mr. Gary?—A. I think there are better men than Mr. Gary.

JOHN WILLIAM O'LOUGHLIN, sworn:

Examined by the Commissioner:

Q. I understand you are a stenographer for Mr. Pyeatt?—A. Yes, sir.

Q. In the Père Marquette Railway Company here?—A. Yes, sir.

Q. Where were you engaged before coming here?—A. Springfield, Ohio.

Q. As what?—A. At similar occupation.

Q. For whom?—A. For the Detroit Southern Railway Company in Springfield, Ohio.

Q. What salary?—A. I was getting $50.

Q. You made application to Mr. Pyeatt for a position in St. Thomas?—A. No, sir.

Q. To whom did you apply?—A. I applied to Mr. Trump.

Q. He is the general superintendent?—A. Yes, sir.

Q. You applied for a position as stenographer?—A. Yes, sir.

Q. Where?—A. Some time last June I was in Detroit and I saw him personally, that is his clerk, and his clerk agreed to get me a position.

Q. Who was his clerk?—A. Mr. Babbit. He looked up my record and he said I could come and work for him if I wanted to, but I changed my mind and went back to Springfield again, and in about January, in the first part of December, I wrote to Mr. Trump again and told him if he could give me employment I would accept it.

Q. That was in December, was it?—A. The first part of December last.

Q. What did you hear after writing Mr. Trump again?—A. Mr. Trump sent that letter to Mr. Pyeatt, I presume.

Q. Why do you presume that?—A. Because I heard from Mr. Pyeatt.

Q. Then you got a letter from Mr. Pyeatt in answer to that letter.—A. Yes, sir.

Q. What was the letter from Mr. Pyeatt; have you the letter?—A. I did not write Mr. Pyeatt.

Q. He wrote to you?—A. No, sir, I have not got that letter.

Q. What were the contents of that letter?—A It was a telegram, I think

Q. Do you remember what the contents were?—A. I could give the substance, saying that he understood that I wanted a position and to state salary and so on.

Q. Did he state the salary ?—A. No, sir.

Q. He asked you to state the salary ?—A. Yes.

Q. What did you do in answer to that telegram ?—A. I replied saying I would come here for $60 a month.

Q. At that time you were receiving $50 ?—A. Yes.

Q. Did you receive any answer to that telegram?—A. Yes, sir.

Q. What was the answer ?—A. The answer was, the substance, that he would give me a position here at that wage.

Q. And you came in answer to that ?—A. Yes, sir.

Q. When did you arrive ?—A. I think it was on December 9.

Q. Who were acting as stenographers at that time ?—A. I do not know, I could not say.

Q. The two young ladies had fled before you came on the scene ?—A. I do not know who was there before I came.

Q. Are you sure it was not in January ?—A. Yes, sir, I am quite sure, I am almost certain it was in December.

Q. You have been here since ?—A. Yes.

Q. Were you born in Springfield ?—A. Yes, sir.

Q. How old are you now ?—A. 25.

Q. And an American citizen, I suppose ?—A. Yes, sir.

Q. You are not married ?—A. No, sir.

ROWLAND JOHN FOREMAN, sworn. examined:

By the Commissioner:

Q. What position do you occupy?—A. Chief clerk of the superintendent.

Q. How long have you acted as such ?—A. About four years.

Q. You were under Mr. Woollatt ?—A. Yes, sir.

Q. And now under Mr. Pyeatt ?—A. Yes, sir.

Q. Having charge of all the correspondence ?—A. Yes, sir.

Q. And all the applications for employment are in your charge ?—A. Yes.

Q. You have the applications of Mr. Dowdy and Mr. Penney as brakemen ?—A. No, sir.

Q. What applications have you ?—A. We have applications for agents and operators, such as that; applications for trainmen go to the train master.

Q. Don't they come to you at all ?—A. If the train master recommends taking them on they come to us in the form of that application form for approval.

Q. These are the applications at any rate of Mr. Dowdy and Mr. Penney ?—A. Yes, sir.

Q. They have come from your office here ?—A. Yes, sir.

Commission adjourned at 6.30 p.m. to 10 a.m. to-morrow.

Commission resumed at 10 a.m., April 26, 1905.

PRESENT:

His Honour JUDGE WINCHESTER, *Commissioner.*

A. O. JEFFERY, K.C., for Dominion Government.

J. H. COBURN, for Père Marquette Railway.

OWEN MCKAY, sworn, examined:

By the Commissioner:

Q. What is your position ?—A. I was assistant engineer of the Père Marquette, formerly chief engineer of the Lake Erie & Detroit River Railway.

Q. And after the Père Marquette absorbed that company you were assistant engineer under whom ?—A. The first year under Mr. William Woollatt, general superintendent; my instructions were to take my orders from Mr. Woollatt, and to report to Mr. Alfred, chief engineer, for the sake of uniformity; and on March 1, 1904, I received instructions from Mr. Alfred, chief engineer, to report to him afterwards, and that Mr. Woollatt would be made superintendent.

Q. When did the Père Marquette take over the Lake Erie & Detroit River Railway ?—A. About the 1st of January, 1902.

Q. At that time you were chief engineer ?—A .Yes.

Q. Then you became assistant engineer, with Mr. Alfred as chief engineer ?—A. Yes.

Q. He was chief engineer of the whole Père Marquette system ?—A. Yes.

Q. And you were assistant engineer for the Buffalo division ?—A. Yes, sir.

Q. The salary remaining the same ?—A. Yes, sir.

Q. Who had you on your staff at that time ?—A. Mr. Meadows as my assistant.

Q. Instrument man ?—A. Yes, and Mr. Askin as draughtsman.

Q. Any one else?—A. And Mr. Meadows, as well; that was all I had for some time, then I employed other men, Roy Hammond, a young man from St. Thomas, and Mr. James Bangman, he was rodman and levelman.

Q. When did you employ these two men ?—A. I had them employed a good part of the time during 1904.

Q. That is Askin and Bangman ?—A. Yes.

Q. Hammond was a young man ?—A. Askin had been employed continuously for seven years in my office.

Q. Your head office at that time was at Walkerville ?—A. Yes.

Q. Could you give me the condition of the railway at the time the Père Marquette took it over ?—A. It was in good condition for local business, it was not equipped for trunk line.

Q. But good for local business ?—A. Yes.

Q. Is there any difference in the equipment for local and for trunk lines ?—A. There is, it required heavier rails for trunk line business, heavier engines and longer sidings, and larger tanks, more of them.

Q. How about the power, was the power sufficient at that time ?—A. The power was fairly good for local business at the time the Père Marquette had taken over the road.

Q. I was told yesterday, I have no doubt it is perfectly true, that last December the power was in a very bad condition ?—A. Yes.

Q. You were on the road at that time ?—A. Yes.

Q. What caused the bad condition of the power ?—A. Well, so far as my observation went, it was due to a lack of sufficient engines to do the local work and through business, and they did not have at Walkerville the facilities for repairing the engines as fast as they were out of repair, the engines were taken into the shop at Walkerville and were kept too long, and the engines that they had in service, a large number had been broken down because they were kept too long in the work, and did not have other engines to take their places; the result was they did not have sufficient power to move their trains, both local and through.

Q. Whose fault was that ?—A. That would be the head management, as far as I could see.

Q. Was that the fault of the general manager or superintendent of that division ?—A. It was not the fault of the superintendent, because he had urged this matter, so far as he had informed me, and so far as I know he had continually urged them on the other side, and called their attention to the lack of power to give efficient service.

Q. It was not supplied at his request ?—A. No.

Q. You consider that was the real reason for the bad condition of the power when Mr. Pyeatt took charge ?—A. Yes.

Q. It was in a bad condition, no doubt about that ?—A. It was in a bad condition.

Q. Did you know Mr. Cameron, the train master ?—A. Yes, I was personally acquainted with him.

Q. What do you say as to his qualifications for that position ?—A. His duties were so entirely different from mine that I could not speak from personal knowledge of what his qualifications were, but I know him as a young man, and knew him when a boy, and thought he was a very respectable, intelligent young man, and I have heard no complaints with regard to his qualifications.

Q. You did not hear of any complaints ?—A. No.

Q. Could he have, under the conditions in which he was working, done any better than what any other man could have done ?—A. I do not think he could.

Q. Do you think he was qualified to do good work and did good work while he had the material with which to do it ?—A. Yes, of course I could not speak personally about his qualifications, because I was not acquainted with his duties, and as I say, he was an intelligent young man, and he appeared to be qualified.

Q. So far as you heard he was qualified ?—A. Yes.

Q. You remained until about December 1 with the Père Marquette ?—A. Yes.

Q. Why was it you left ?—A. On November 26, Mr. Alfred informed me personally in his office in Detroit that the general manager had decided on removing the superintendent's office, and the assistant engineer's office to St. Thomas, and that they appointed Mr. Harris as assistant engineer in my place, that the duties of the office would be somewhat different from what it had been under my care, that plans would be made in Detroit, and new construction work would be managed from Detroit, and they expected the assistant engineer in future to look after maintenance, to be outside and take active care of the work outside, and they decided on putting a new man in the position.

Q. Were you qualified to do the work they required ?—A. I thought so.

Q. They did not ask whether you would remain with them or not ?—A. No, sir. Mr. Alfred told me that I could keep my old office in Walkerville and finish up all construction work, and if any new construction work would come up during the summer they would probably be able to give me a good deal of it, and the assistant engineer would have charge of the maintenance.

Q. Were there any complaints about the manner in which you performed your duty at that time?—A. No, Mr. Alfred told me he was very well satisfied with my work. I do not know what his personal references were, but that is what he told me.

Q. What notice then was there given to you of your being relieved from duty, how long notice was there given of your being relieved from duty?—A. It must have been about November 22 when Mr. Alfred told me that there would likely be a change in the engineering office in Detroit which would affect me, he thought, but he would hold back that change as long as possible. On November 26 he informed me my assistant was appointed.

Q. Who was the assistant?—A. Mr. Harris; I did a good deal of work through December and up to January.

Q. Up to what time was your salary paid?—A. During the month of December I was paid, I think, it was $119 in salary.

Q. Was that for special work?—A. Yes.

Q. But your salary ended at the end of November?—A. At the end of November.

Q. What was your salary at that time?—A. $195 per month.

Q. That ended then in four days after you got notice to leave?—A. Yes.

Q. Was there any notice given to your subordinates, to the staff?—A. A few days before I received the notice, I have not the letter, it must have been about November 20, I think, if I remember right, Mr. Alfred wrote me that I would have to dispense with the services of Mr. Meadows, and perhaps one or both draughtsmen at the first of December; the railroad company had decided upon reducing expenses.

Q. Then on December 1, you left there, but you have done special work for them since then at times?—A. Yes, sir.

Q. You still occupy the offices?—A. Yes, sir.

Q. You pay a rent for them?—A. Well, yes, I made them an offer for the offices, and they sent me forms of lease to sign. I have not received it back as yet. I have the money ready to pay them rent from February 1.

Q. Was Mr. Meadows a careful man?—A. Yes, a very good man.

Q. No complaint about his work?—A. No.

Q. How long did Mr. Harris remain in your position after he was appointed?—A It must have been some time about in February, towards March 1.

Q. He was an American citizen?—A. Yes, sir.

Q. Then he was taken to the other side again?—A. Yes, I understand.

Q. And Mr. Leseur appointed in his place?—A. Yes.

Q. We had Mr. Laseur here yesterday and he explained that. That is all I have to ask you.

Mr. Coburn had no questions to ask.

William Walter Meadows, sworn, examined.

By the Cimmissioner:

Q. When were you employed on the Père Marquette Railway?—A. From the time they took hold of the Lake Erie and Detroit River Railroad till December 1, 1904.

Q. You had been on the Lake Erie and Detroit River before that, under Mr. McKay?—A. Yes.

Q. What was your salary?—A. I began at $50 a month, and at the last I was getting $100.

Q. From Mr. McKay?—A. Yes.

Q. Was there any objection to your work at all?—A. Not that I know of.

Q. Never heard of any complaints?—A. No.

Q. What notice did you get of being relieved from duty?—A. On or about November 26, Mr. McKay handed me a letter that he had received from Mr. Alfred saying he would have to dispense with my services.

Q. Did he give you any reason for dispensing with your services in the letter?—A. I do not remember whether there was or not.

Q. You were laid off about December 1?—A. Yes.

Q. Were you appointed again?—A. Yes, under Mr. Harris.

Q. When?—A. It would be about the 9th.

Q. What salary?—A. $90 a month without expenses.

Q. How long did you remain under that?—A. Till January 1.

Q. You were not very long there?—A. No.

Q. You were appointed about December 9?—A. Yes; I would not be sure about the 9th, but it was about that time.

Q. Your offices at the time were at Walkerville?—A. Yes, sir.

Q. Why did you retire then?—A. I got a position that paid me better, at least I thought it did.

Q. He was paying you $90 a month, and you got a position that paid you better?—A. Yes.

Q. What was the position you got?—A. Mr. McKay wanted an assistant and I hired with him.

Q. For how much?—A. $85 and he paid me all my expenses.

Q. And the expenses of course amounted to more than $5?—A. Yes, a good bit.

Q. Have you had any other offer lately?—A. Yes.

Q. How much a month?—A. $150 and expenses.

Q. That would indicate your work is pretty satisfactory?—A. Yes.

Q. Is that from a private person or a company?—A. It is from a company.

Q. A railway company?—A. Yes.

Q. Then so far as you knew your services were acceptable to the company during the time you were in their employment?—A. Yes.

HARRY E. TULLER, sworn, examined:

Examined by the Commissioner:

Q. You are a locomotive engineer?—A. Yes, sir.

Q. How long have you been such?—A. About 27 years

Q. Where?—A. Missouri Pacific.

Q. I heard the name of that railway yesterday?—A. Yes, sir.

Q. The Missouri Pacific?—A. Yes, and Pennsylvania.

Q. Where were you employed last before coming to St. Thomas?—A. On the Missouri Pacific.

Q. Were you acquainted with Mr. Cain on the Missouri Pacific?—A. No, sir.

Q. Did not know that gentleman?—A. No, sir.

Q. Nor Mr. Gilhula?—A. No, sir.

Q. Nor Mr. Pyeatt?—A. No, sir.

Q. You were not up in the ranks evidently; when did you leave the Missouri Pacific?—A. A year ago last August.

Q. Why?—A. On account of poor health.

Q. You were not well?—A. No, sir; bad water.

Q. Where were you located?—A. Southern Kansas.

Q. What city?—A. Arkansas City

Q. Wife and family there?—A. Yes, sir, they were.

Q. Are they still there?—A. No, sir.

Q. Where are they now?—A. In New York.

Q. When did you come to Detroit searching for employment?—A. I came through there, I did not ask for any employment.

Q. Where was it you asked for employment?—A. I asked for employment at Grand Rapids.

Q. Of Mr. Kellogg?—A. Yes, sir.

Q. Were you acquainted with Mr. Kellogg?—A. Yes, sir.

Q.How long had you been acquainted with him?—A. Two or three years.

Q. What employment did you ask from Mr. Kellogg?—A. Job running engine.

Q. On what line?—A. On the Père Marquette.

Q. He is the master mechanic of that system?—A. Yes, sir.

Q. What did Mr. Kellogg tell you when you asked him for employment?—A. He said that they were pretty full handed.

Q. What further?—A. I told him I would like to get a job.

Q. What else took place then?—A. I asked him if he would give me a pass down the line to St. Thomas; it would be nearer where my folks were and I might get a job down there.

Q. What did he say to that?—A. He said all right.

Q. Did he give you a pass?—A. Yes, sir.

Q. Transportation from Grand Rapids to St Thomas?—A. Yes, sir.

Q. Did he give you anything else besides a pass?—A. He gave me a letter that I was an engineer on the Missouri Pacific.

Q. What else was there in the letter?—A. I do not know.

Q. Did he ask them to give you employment?—A. No, sir.

Q. Did not ask them to give you employment?—A. No.

Q. I cannot find that letter, that is the reason I am asking you the contents of it. What became of the letter?—A. I gave it to Mr. McManamy, I believe.

Q When did you arrive here?—A. About the 15th March.

Q. Any work open for you at that time?—A. Mr. McManamy said that he had about all the men he could put to work on the road, so I asked him if he could not give me something to do in the shops.

Q. It was work you were after, it was not position?—A. Yes, sir, work I was after.

Q. What did he give you to do?—A. Gave me a job working in the shops, machinist's helper.

Q. What rate of wages?—A. $1.50 a day, I believe.

Q. You believe?—A. I have not had a pay day yet.

Q. Don't you know how much it was?—A. It was $1.50 or $1.75.

Q. $1.75 I think is more correct; your people live at East Pembroke, New York?—A. Yes, sir.

Q. You were under Mr. Kellogg while you were engineer on the Missouri?—A. Yes, sir, he came there about three years before I left there.

Q. He was master mechanic at that time?—A. Yes

Q. And you were under him?—A. Yes, sir.

Q. And afterwards he left and you subsequently left?—A. No, he left before me. I left a year ago last August.

Q. You followed him up?—A. I do not know as I followed him up or he followed me.

Q. No, you followed him to Grand Rapids?—A. Oh, yes.

Q. He gave you a letter to Mr. McManamy and that resulted in your being placed in the shops, because there was no opening for you as engineer?—A. No.

Q. Have there been many men leaving there of late?—A. I do not know, I am sure, from the shops.

Q. You are not in a position to say that?—A. No, the force does not look as large as it used to when I first arrived.

Q. How many men do you suppose have left since you were employed?—A. I could not say.

Q. Have no idea?—A. No, I have no idea.

Q. You are an American citizen?—A. Yes.

Q. Lived in the States all your lifetime?—A. Very nearly, I lived in Canada about 27 years ago at Fort Erie.

Q. How long?—A. About a year.

Q. And you are about 50 years of age?—A. Yes.

Q. And that is the only time you have been living in Canada?—A. That is the only time.

Mr. Coburn had no questions to ask.

CHARLES FRANKLIN SHOEMAKER, sworn examined.

By the Commissioner:

Q. You are in the mechanical department of the Père Marquette Railway Company, St. Thomas?—A. Yes, sir.

Q. When were you employed there?—A. February 20.

Q. By whom were you employed?—A. Mr. Stafford.

Q. Where?—A. Here at St. Thomas.

Q. How did you come to be here in St. Thomas?—A. I had a friend here who was in charge of the shop.

Q. Who was he?—A. Mr. W. H. Potter.

Q. What position had he in the shop?—A. Foreman boiler man.

Q. Did you write to him?—A. He wrote me a letter that he was transferred from this position here, this shop to Grand Rapids, and that there was a vacancy here. So I wrote to Mr. Kellog and to Mr. Stafford, about transportation, and when I got here I asked for the job, and he gave it to me.

Q. You wrote to Mr. Stafford or Mr. Kellogg, which?—A. I wrote to Mr. Stafford, and I got the transportation through Mr. Kellogg.

Q. That is the way you did it?—A. Yes.

Q. Have you got the letter Mr. Porter wrote you?—A. No sir, I burned it up, I think.

Q. You did not take any particular care of it?—A. No.

Q. Have you got a copy of the letter you wrote to Mr. Stafford?—A. No.

Q. Where were you living at that time?—A. Terre Haute, Indiana.

Q. Was that in February?—A. Yes, sir.

Q. I found you made out an application after you came here?—A. No, I never made out an application.

Q. Who made it out for you?—A. Nobody.

Q. Is that your signature?—A. No, sir.

Q. Is not that your signature?—A. No, that is my son's, C. H. Shoemaker.

Q. Have you a son in the service?—A. Yes, sir.

Q. You do not look old enough to have a son in the service?—A. Yes, I have always taken pretty good care of myself.

Q. C. F. Shoemaker is your name?—A. Yes.

Q. That is what your son gives here as your name?—A. Yes.

Q. Did you not write out an application?—A. No, sir.

Q. You arrived here about what time?—A. On February 20.

Q. Having received transportation from Mr. Kellogg?—A. Yes, sir.

Q. Did Mr. Kellogg send you transportation or Mr. Stafford?—A. Mr. Kellogg.

Q. Mr. Kellogg sent it to Terre Haute?—A. Yes, I am a little ahead of my story there.

Q. Just explain it?—A. I got a letter from Mr. Kellogg and he said in the letter 'I enclose you transportation. Chicago to St. Thomas.' I got the letter, but there was no transportation in it. He forgot to put it in. When I got to Chicago I went to the freight office and got the transportation there at the general freight agent.

Q. On the Père Marquette?—A. Yes, sir.

Q. And you arrived on a freight?—A. No, I came on passenger.

Q. The freight department had passes there for passengers?—A. Yes, sir.

Q. And is your family here now?—A. Yes, sir.

Q. Did they come with you at that time?—A. No, sir.

Q. Your wife and family came subsequently?—A. Yes, sir.

Q. Did you get transportation for them too?—A. Yes, sir.
Q. What wages are you receiving?—A. $85 a month.
Q. What position do you occupy here?—A. Foreman boiler maker.
Q. When did your family arrive here?—A. Last Wednesday, I think.
Q. Only last Wednesday?—A. Yes.
Q. Then your son also came here?—A. Yes, sir.
Q. How did he come to get here?—A. He supposed he could get work here, and he asked me for a job, and I needed a man, and I put him to work.
Q. That was in March last, about March 8?—A. I do not remember what day it was, in March, along in the fore part of March.
Q. That is March 8?—A. That is the day he made out his application after coming here.
Q. Did he write to you for work?—A. No, sir.
Q. Did you write to him?—A. No, sir.
Q. No correspondence between you at all until he arrived here?—A. No, sir.
Q. How did he come to travel here?—A. I had spoken to Mr. Stafford about transportation for him on account of him being one of the family.
Q. How old is he?—A. Twenty-one.
Q. What are his duties?—A. He is a boiler maker.
Q. You spoke to Mr. Stafford about him coming here?—A. Yes, sir.
Q. And getting work?—A. No, sir, not about work; I spoke to Mr. Stafford about getting transportation for him to come here.
Q. You required a boiler maker just at that time?—A. I did not exactly need a man, no, I did not speak to Mr. Stafford for him to come here to work.
Q. You required a boiler maker at that time?—A. That was after he got here——
Q. But before he got here, did you not?—A. Not exactly, no, sir.
Q. What do you mean by not exactly, you could have put a boiler maker in there if you had so desired it, you could have found work for him?—A. I do not know but what I might have had enough work that I could have put on more men if they had allowed any more.
Q. You have not the privilege of employing the men as you see fit?—A. Unless I have a vacancy.
Q. At that time when you came here first you had not the privilege of employing men without speaking to Mr. Stafford?—A. Yes, I had the right to hire men.
Q. And can you hire men now without Mr. McManamy's consent?—A. Yes, that is if I am in need of a man.
Q. That is one of your duties?—A. Yes, sir.
Q. You came here about February 20?—A. Yes, sir.
Q. And you immediately became foreman?—A. Yes.
Q. And continued so up to the present time?—A. Yes.
Q. When was it you wrote to your son about transportation?—A. I spoke to Mr. Stafford.
Q. About what time?—A. Shortly after I came here.
Q. Within a week?—A. I think it was about a week.
Q. What was your boy doing?—A. He was working for the Pennsylvania Railroad Company at Terre Haute.
Q. With the same company you had been working?—A. Yes, sir.
Q. Under you?—A. No, sir.
Q. Not in the same shop?—A. Working in the same shop.
Q. Were you foreman there?—A. No, sir.
Q. So that he was working under a different boss than you?—A. Yes, sir.
Q. Then in about a week you asked Mr. Stafford for transportation for your son to come here?—A. Yes.
Q. And he arrived immediately?—A. Well, about a week after, I think.
Q. You sent him the transportation?—A. Mr. Kellogg did.
Q. And he arrived in consequence of receiving the transportation?—A. Yes, sir.

Q. And immediately he was put to work by you?—A. Not put to work until after he came here.

Q. What salary?—A. 26 cents an hour.

Q. That is the usual rate?—A. Yes.

Q. You were born in the United States?—A. Yes.

Q. And you are an American citizen?—A. Yes, sir.

Q. And how long have you lived in the States?—A. I have lived there all the time up to the time I came over here.

Q. You had not been outside before coming here?—A. No, sir.

FREDERICK ARNUM, sworn, examined:

By the Commissioner:

Q. How long have you been in the service of the Père Marquetteé—A. A little over four years, that is including the Lake Erie Company.

Q. You were employed by the Lake Erie Company before the Père Marquette absorbed that company?—A. Yes, sir.

Q. And since then up to the present time in the service of the Père Marquette?—A. Yes.

Q. In what position?—A. Train despatcher first.

Q. And now what?—A. Until the first part of December chief train despatcher.

Q. On December 1 you were chief train despatcher?—A. I was appointed, I suppose, about October 1,

Q. October 1, chief despatcher?—A. Yes.

Q. In whose place?—A. Mr. Bailey's.

Q. And you continued such until the first December?—A. About the first, I would not be sure about the date.

Q. Then what took place?—A. Then the hours were so long that I asked Mr. Pyeatt if he could not give me something lighter, or something to that effect, and he asked me if I did not want the chiefship, and I told him no, that the hours were too long.

Q. Then what was done?—A. Mr. Pyeatt then put me on as night train despatcher.

Q. What date?—A. That would be probably about the second week in December.

Q. Who took charge of the chief position then?—A. Mr. Gilhula.

Q. When?—A. Just shortly after I left, about the second week in December. I would not say what date.

Q. You think that is about right?—A. Somewhere around that date.

Q. Not the 22nd or the 20th?—A. I could not give you the exact date.

Q. Were there any complaints made against your work or your not attending to your work?—A. Not that I am aware of.

Q. None at all to yourself?—A. Not that I am aware of.

Q. You ought to be aware of them?—A. I think I would be notified.

Q. Were you spoken to by Mr. Pyeatt about your not being there in time?—A. I remember one Sunday morning.

Q. What was the difficulty then?—A. I had been on duty then, I had left the office at 2 o'clock Sunday morning. I was on until 2 o'clock Sunday——

Q. All day Saturday and right up till two o'clock on Sunday?—A. Yes, I was there all day Saturday except meal hours.

Q. From what hour in the morning on Saturday?—A. It would be about nine o'clock.

Q. That was the usual hour?—A. Yes, generally go on about nine.

Q. What was a fair day's service?—A Well, that is a kind of hard question to answer; the chief train despatcher is supposed to be there all times when wanted.

Q. Night and day?—A. If it is necessary for him to be there he is supposed to be there.

Q. What are the necessary hours for you as chief despatcher?—A. Generally speaking, I would be there from 9 o'clock in the morning till about 11 or 12 at night.

Q. On this Sunday morning you were there till two o'clock, then when did you return?—A. I did not come down till Sunday afternoon between one and two.

Q. What took place then?—A. Just ordinary work that had to be done. I went in and did it.

Q. Any objections made to you for coming at that hour?—A. Mr. Pyeatt kind of took me to task because I did not get down in the morning. I explained the case to him, and he said it was satisfactory; he was not aware that I was there till two o'clock.

Q. Any other complaint made?—A. No, sir.

Q. What difficulty did you find in performinig the work of chief despatcher?—A. Well, the trains were running a little bit slow, and there were several things would keep a despatcher there; the trains would not move the way we expected they would move, and you have to keep changing your arrangements probably and especially Saturday night, and the train despatcher is supposed to be there on duty and look after the Sarnia end, especially when the stock comes out Saturday night. On this Saturday night that was the reason I was there so late to see how the stock was moved out and getting power out.

Q. When did you make up your mind to be relieved of that position?—A. I had made up my mind to quit a long time, that is a few weeks, but I had not mentioned the fact to Mr. Pyeatt.

Q. When did you first mention it to him?—A. About a week before I was relieved. I told him the hours were too long and I could not stand it; I was not strong enough.

Q. What hours did you refer to as being too long?—A. That is chief despatcher's hours.

Q. Nine o'clock in the morning till twelve o'clock at night?—A. Nine o'clock until the worst was all done.

Q. What assistance had you?—A. Three train despatchers.

Q. Who were they?—A. Mr. Black the first trick, and Kirkpatrick and Ben Knight,

Q. Were they capable men?—A. Yes, sir.

Q. Did they give satisfaction?—A. They did all the time I was in the chiefship.

Q. Had you any complaints about them when you were in charge?—A. I do not remember of having any.

Q. You were perfectly satisfied with them?—A. Yes, sir.

Q. Have they been doing as good work under your successor as they had been while you were chief?—A. Yes, sir.

Q. Mr. Kirkpatrick is not in charge there now?—A. No, sir.

Q. Was he relieved?—A. I believe he resigned of his own accord.

Q. Why?—A. I could not say his reasons.

Q. Did he not assign any?—A. Not to me, I was not chief then.

Q. Was he a capable man?—A. I always considered him a pretty good despatcher for the experience he had.

Q. Did he do his work?—A. Yes, he did his work fairly well.

Q. You have no fault to find with him?—A. No, sir.

Q. Nor with Knight?—A. No, I never had occasion to.

Q. Has the work been increased since December 1 to what it had been the year before?—A. No, I do not think it has.

Q. Has it been as heavy?—A. It has not been as heavy as it was a year ago, that is to my way of thinking.

Q. You have a pretty good knowledge of what the work consists of and what is being done there?—A. Yes.

Q. You are there every day?—A. Yes, every day I was there.

Q. Has more freight been handled since December 1 than it had been for months previous to that?—A. Just about the same.

Q. I was told there was far more freight handled during the twelve months of

1904 under the old management than during the period the new management has been in charge?—A. I think so myself.

Q. What about the tonnage, has that been greater than under the present management?—A. No, I do not think so.

Q. You think the tonnage has not been greater?—A. I do not think so.

Q. That is under the old management?—A. I think the tonnage was heavier under the old management, that is the actual tonnage.

Q. That was hauled over the road?—A. Yes.

Q. The power was in a very bad condition about December 1, last, I was told yesterday?—A. Well.

Q. I have no doubt that was perfectly true; what was the cause of that?—A. That is a pretty hard question for me to answer.

Q. Don't you know?—A. No, I cannot say.

Q. You heard Mr. McKay's evidence this morning?—A. I did.

Q. Do you agree with him?—A. I agree that the power was not right up to first-class.

Q. But the reason you cannot say?—A. No.

Q. You personally know nothing about the reasons?—A. No, sir.

Q. How many miles of road would there be under each of your despatchers?—A. 128 and 70.

Q. Under each of them?—A. No. 143, on the main line despatchers and about 70 on the Sarnia branch.

Q. How many under you now?—A. I take the whole thing now at midnight, 173 and 40 miles.

Q. How much was there under Kirkpatrick?—A. 70 miles.

Q. And how much under Knight?—A. He took the whole thing at midnight.

Q. The same as you are doing now?—A. Yes, sir.

Q. So that was a rather responsible position?—A. I consider a despatcher's duties are responsible at any time.

Q. But when the whole of the mileage is under you it is more responsible?—A. A little more.

Q. And Mr. Knight had the whole at what hour?—A. After midnight.

Q. What salary are you receiving?—A. $90 at the present time.

Q. What had you been receiving?—A. I was receiving $90 in the chiefship.

Q. What were you receiving immediately before that?—A. $80, working tricks.

Q. And it was increased to $90 when you became chief?—A. Yes, sir.

Q. And it has been continued on at $90?—A. Since then the salaries of despatchers have been increased $10.

Q. When you gave up then you went back to your own salary?—A. No; I left $80 and took the chiefship at $90, and got the chiefship and fell into $90.

Q. That is, all the despatchers had been increased $10 a month?—A. Yes.

Q. So that you continued on at $90?—A. Yes.

Q. Was Knight receiving $90?—A. No, I believe it was $80.

Q. And Kirkpatrick?—A. $80.

Q. The increase had not taken place in their time?—A. Kirkpatrick's position was a position that was a new position, that was made on account of the heavy work of other despatchers looking after the whole line, that is the day despatchers, first and second despatchers had a little more than they could handle with safety, and Mr. Woollatt decided to put on an extra man on the Sarnia branch.

Q. Who occupies Kirkpatrick's position now?—A. Mr. Andress at the present time.

Q. When was he appointed to that position?—A. Monday morning.

Q. Who had it before him?—A. Mr. Gary.

Q. Mr. Gary succeeded Mr. Kirkpatrick?—A. Yes, sir.

Q. Who was in charge at the time Mr. Gary was there?—A. As chief?

Q. When Mr. Bailey was chief who were the trick despatchers or were there only two?—A. There was Mr. Black and Mr. Kirkpatrick.

Q. And yourself?—A. And myself

Q. And did Gary come and take Kirkpatrick's position?—A. Gary came after Kirkpatrick resigned.

Q. So that there are three trick despatchers besides the chief?—A. Four; there are three on the main line and one on the Sarnia branch.

Q. How many were there when you were chief?—A. Four.

Q. And who was your predecessor as chief?—A. Mr. Bailey.

Q. How many were there then?—A. At one time there were only three.

Q. Then the work became heavier?—A. Yes, and we put on one on the Sarnia branch.

Q. Who were the men you had under you as chief?—A. Black, Kirkpatrick, Knight and I think Andress was working despatcher.

Q. He had no trick, however?—A. Not regular.

Q. So that is the position at the present time, there are four of you and a chief?—A. Yes, sir.

Q. How many hours are you expected to be on duty now?—A. Train despatcher is 8 hours.

Q. And when you were chief you were there for how many?—A. I stayed there as long as I was required, 16 or 17 hours, some nights we would probably only go 14 or 15.

Q. Did you complain of the long strain?—A. No, not to Mr. Pyeatt.

Q. To anybody?—A. No, sir.

Q. You did not complain of that?—A. No, not until about the week before I was relieved; I told Mr. Pyeatt the work was too heavy for me and asked him if he could not give me something else.

Q. You were not told you must do that or stand aside?—A. No, sir, I was not compelled.

Q. It was a matter of free will?—A. I gave up the office of my own free will.

Q. And in consequence of that you took the night shift?—A. Mr. Pyeatt asked me to take the night shift.

By Mr. Coburn:

Q. There are one or two things I do not understand; you say the work was heavier last year, 1904, than it has been since?—A. To my way of thinking I think it has.

Q. Heavier on the despatchers I suppose you mean?—A. No, I mean heavier on the road; if it is heavier on the road it must have been heavier on the despatchers.

Q. That is what I want to ascertain; I thought it was heavier on the despatchers on account of the slow movement of trains; that had a large amount to do with it?—A. It would be necessarily heavier on the despatchers.

Q. If trains were not moved promptly and readily it would be heavier on the despatchers for the same amount of traffic?—A. Yes, I think it would any way.

Q. While you were acting chief do you remember what the movement of freight was; I am told it was about 600 cars a day?—A. Yes, it would be about that; it might go a little over that, and probably some days it would not go as high, but that would be a fair average.

Q. And during the period since that time it has gone up to 1,200, and it is about 1,000 a day now?—A. That all depends on whether you are counting the Buffalo division, that is east of here, we are not handling— did you say 1,000?

Q. It went up to 1,200, and it is now about 1,000, I understand?—A. I suppose it would on an average run about that.

Q. Do you know what Mr. Gilhula's hours are?—A. At the present time?

Q. Yes?—A. I do not think he has any stated hours, not to my knowledge. Mr. Gilhula stays there as long as there is work to do for the chief despatcher.

Q. He is there a great deal more than eight hours a day?—A. Yes; I am not there to see what hours he comes on duty or when he goes off. I am not there in the day time.

THE COMMISSIONER.—He is not there all night?—A. No, sir. I have seen Mr. Gil-

hula there very late and away late in the morning; that was on account of the snow block though.

By Mr. Coburn:

Q. It is needless to say that your present work is much lighter than that of chief despatcher?—A. Oh, yes.

THE COMMISSIONER.—And the salary?

Mr. COBURN.—The same salary.

The COMMISSIONER.—It is lighter than the salary of the chief despatcher at the present time.

Mr. COBURN.—Oh, yes.

EDWIN J. McMILLAN, sworn, examined:

By the Commissioner:

Q. What is your occupation?—A. Tool maker on the Père Marquette.

Q. How long have you been employed in the Père Marquette shops?—A. Since April 3.

Q. Where were you before that?—A. I was with the Père Marquette in Saginaw for a time.

Q. Under Mr. Essick?—A. Yes.

Q. What were you receiving there?—A. $2.47½ a day.

Q. You receive $2.85 here?—A. Yes.

Q. Why did you resign in Saginaw?—A. I understood by different machinists that were travelling through, that there was a position over here vacant, and they were paying better money, and I resigned there to do better.

Q. Who were the different machinists that told you there were vacancies here?—A. It is rather hard to give their surnames on account of not being very well acquainted with them, they were what we call hobos.

Q. They are not machinists?—A. Yes, but just floating around through the country.

Q. What kind of machinists?—A. Hobos are some of the best machinists; they are what the craft call hobos, just go about the country.

Q. You are not acquainted with many of them?—A. They come on there and you make their acquaintance.

Q. Had you any correspondence with the St. Thomas people?—A. None whatever.

Q. No letter written to any one?—A. No, sir.

Q. Did you consult Mr. Essick about it?—A. No, sir.

Q. Did not speak to Mr. Essick?—A. I just informed Mr. Essick that I had resigned.

Q. And you were off east?—A. I did not tell him where I was off to.

Q. How long had you been there?—A. About three years and five months.

Q. Where before that?—A. I was with the Zinsch-Gassing people, Grand Rapids, Michigan.

Q. You moved just across the road, practically speaking?—A. Yes, sir.

Q. Did you not get transportation ?—A. Just about five hours before I left I went up into Mr. Bowden's office, and asked him if he would give transportation. He said 'Where do you want it to'? I said 'I do not hardly know, but I think I will go to St. Thomas and try that first.'

Q. Was that honest?—A. Well, no, not exactly honest; I knew pretty well I was bound for St. Thomas.

Q. You knew you were going to St. Thomas?—A. Yes. I had made up my mind to go.

Q. Had a pretty good idea: you got transportation from there to St. Thomas?—A. Yes, sir, and return.

Q. Is that still good?—A. I destroyed that. I had no occasion for it.

Q. You succeeded in getting employment here?—A. Yes, the transportation was no good to me, so I destroyed it.

Q. You came to St. Thomas and applied to Mr. Groening?—A. Yes, sir.

Q. Did you know Mr. Groening?—A. Yes.

Q. Had you any correspondence with Mr. Groening?—A. None whatever.

Q Nor with any one through him?—A. No, sir.

Q. No correspondence whatever?—A. None whatever.

Q. You were under Mr. Groening before?—A. No, sir.

Q. What position had he in Grand Rapids?—A. He was what we call the pit-side foreman, erecting foreman.

Q. And he is general foreman here?—A. Yes.

Q. That is a better position?—A. Yes, sir.

Q. How long were you here before you went to work?—A. I arrived here Friday night and went to work the following Monday.

Q. Did you give any certificate of character or anything of that nature?—A. No, sir, I was asked——

Q. He knew you?—A. Yes, I was asked if I resigned or was discharged, and I told him I had resigned.

Q. Do you think he told any of those hobos to tell you to come across?—A. No, sir, I have no idea that he knows any of them.

Q. He is not so well acquainted with them as you are?—A. I was not well acquainted with them; I can give you their first names but I cannot give you the last names—Douglas.

Q. The first name is as good as the last with a hobo?—A. I believe they said they had worked in Stratford, they came through this way.

Q. You told Mr. Groening where you had come from?—A. Yes.

Q. He knew that as soon as he saw you?—A. Yes, sir, I presume he did.

Q. And immediately employed you; you filled up an application sheet?—A. Yes, sir

Q. When?—A. On Sunday afternoon the 2nd.

Q. Where did you get it?—A. At his office.

Q. On the Saturday or Friday?—A. I got it on the Sunday.

Q. Your son and sister still live over in Grand Rapids?—A. Yes, sir.

Q. You have not brought them across yet?—A. No, sir.

Q. You are an American citizen?—A. Yes, sir.

OWEN HALES, sworn, examined:

By the Commissioner:

Q. How long have you been with the Père Marquette Railway Company in Canada?—A. About a year and fifteen days.

Q. You are sure of the fifteen days?—A. About, I came on April 3 last year.

Q. Where from?—A. From Saginaw.

Q. What position did you occupy there?—A. Air-brakeman.

Q. How long had you been in Saginaw?—A. Working, do you mean?

Q. Yes.—A. About eleven years.

Q. Was the Père Marquette the first railway you had anything to do with?—A. Yes, sir.

Q. And you have stuck by the Père Marquette since?—A. Yes, sir.

Q. You have always lived in the States until you came to Walkerville?—A. Yes, sir.

Q. What wages were you paid in Saginaw?—A. 22 cents an hour.

Q. How much now?—A. 26 cents.

Q. There has been an increase since you came here?—A. Yes, since I came to St. Thomas.

Q. Yes?—A. No, sir.

Q. You got an increase as soon as you came to Walkerville?—A. Yes.

Q. From 22 cents to 26 cents in Walkerville?—A. Yes.

Q. How did you come to go to Walkerville?—A. There was a young fellow working at the air-brake in the shop there, and he had quit the job to work for the McLaughlin Air-Brake Company in Walkerville, and he was a friend of mine, and he told me the job was open, and said if I wanted it to come down and ask for it; so I quit the job where I was and went down.

Q. And you have been here ever since?—A. Yes.

Q. Giving good work?—A. I hope so.

JOHN MCMANAMY, sworn, examined:

By the Commissioner:

Q. What position do you occupy on the Père Marquette in St. Thomas?—A. Assistant master mechanic.

Q. That is rather a misleading title, you are really master mechanic in the Buffalo division, are you not; you have charge?—A. Under the supervision of Mr. Kellogg.

Q. He is the master mechanic of the whole system?—A. Yes, sir.

Q. You are his assistant so far as his position is concerned, but you have charge of the Buffalo division as master mechanic?—A. Yes, sir.

Q. When did you arrive in St. Thomas?—A. About the 30th November, 1904.

Q. You came ahead of Mr. Pyeatt?—A. No, sir.

Q. When did he come, here; I thought it was the first December?—A. No, I think Mr. Pyeatt was here a few days before that.

MR. PYEATT.—I took charge on the 1st.

WITNESS.—I also did the same thing; the question as I understood it was when I arrived here.

By the Commissioner:

Q. Where had you been working before that?—A. Grand Rapids, Michigan.

Q. Under Mr. Kellogg?—A. No, sir; Mr. Kellogg was not there at that time; Mr. Christie was the master mechanic.

Q. You were under Mr. Christie then?—A. Yes, sir.

Q. What position did you occupy there?—A. Road foreman of engines.

Q. How long had you been at Grand Rapids?—A. I had been in the service of the Père Marquette since the organization of the company in 1900.

Q. What road were you on before that?—A. The Chicago and West Michigan, which is a branch now under the supervision or control of the Père Marquette.

Q. Before that?—A. I was on the Chicago & West Michigan ever since I began railroading, 1891.

Q. What salary were you receiving when you were appointed here?—A. $150 a month.

Q. At Grand Rapids?—A. Yes, sir.

Q. And is that what you are receiving now?—A. No, sir.

Q. What is it now?—A. $175.

Q. So that there was a slight inducement to your coming here?—A. Yes, the inducement, however, was made after I came here; I came here at the same salary I was receiving at Grand Rapids.

Q. And you were increased shortly afterwards?—A. The first of the year, thirty days after I came here.

Q. Was there a general increase made all the way around?—A No, sir.

Q. You were led to believe there would be an increase when you were appointed?—A. No, sir, I was not led to believe there would be an increase. I was told they wanted me to go to St. Thomas, that was all there was of it, and when I asked the question of

the rate of pay they said it would be all right. 'We want you now to go to St. Thomas.'

Q. And as a faithful servant you obeyed?—A. Yes.

Q. You of course got transportation to St. Thomas?—A. I already had my transportation, I had an annual pass over the Pere Marquette system. It was not necessary to get any transportation to St Thomas.

Q. As master mechanic in St. Thomas what are your duties?—A. I have supervision over the mechanical department.

Q. What condition did you find the power in when you came here?—A. It was not good by any means.

Q. All the engines run down?—A. Most of them were.

Q. Not repaired?—A. No, sir.

Q. Out of repair?—A. Yes, sir.

Q. Do you know how that happened?—A. No, sir, I do not; prior to the time I came here I paid no attention to the Buffalo division.

Q. The future, and not the past, was what you were looking for?—A. Yes.

Q. What did you do in order to put things in better shape?—A. We increased the force and ran our shop nights, worked over time, and so forth, to get the power into condition to give better service than was being given at that time.

Q. That increased the expenditure of money?—A. Yes.

Q. As well as the number of hands?—A. Yes.

Q. The management in Cincinnati supplies you with all the necessary funds?—A. They supplied me with all that I used at any rate.

Q. All you wanted?—A. No.

Q. How many new engines did they send over here?—A. There were four new engines sent some time I believe in January, there were four engines, but not new engines.

Q. But they were good engines?—A. Yes, in good condition; they came here in the end of January for a short period of time, and all have been returned.

Q. Any new engines put on the road since you came?—A. Yes sir, six new ones.

Q. Where were they made?—A. At Dunkirk, New York.

Q. All the old ones repaired since you came?—A. No, sir, they have not, a number have been, but others have not.

Q. How many have been repaired?—A. I could not say just that; we have a number of old engines to go through the shop yet, five waiting in the shop at the present time, and as yet unfit for service.

Q. How much money has been expended in putting the power in fair condition by the bringing in of six new engines and repairing old engines?—A. Our pay-rolls run about $17,000 per month. That of course could not all be attributed to putting the power in good condition; the only portion of it which could be attributed towards that would be the amount that is in excess of the pay-rolls prior to the time I came here.

Q. How much were the amount of the pay-rolls prior to your time?—A. Between $10,000 and $11,000 per month.

Q. For how long prior?—A. I do not know, I have not the record back very long.

Q. Did you immediately increase the staff?—A. We increased the staff.

Q. Outside of the pay-rolls, what would be the expenditure in connection with the power?—A. The engines that are sent here are worth about $15,000 apiece; there were six of those.

Q. What other expenditure?—A. In the way of shops?

Q. Yes?—A. There was considerable expenditure in the way of shops, but the shops were well under way, but not in running order, when I came here.

Q. Machinery?—A. Yes, there has been some money expended for machinery; there have been only a few machines bought since I came here; the other machines had been purchased before that time, but were not installed, and were not in working order.

Q. What would be the cost of them?—A. They will run from $1,000 to $3,000 each.

Q. How many were there?

Mr. COBURN.—I do not want to object, but I do not see what bearing all this has on the question at all.

The COMMISSIONER.—I am about through now. The bearing is this, that this new régime put everything into capital working order immediately, while the old men that were here could not do it. You see the bearing now without going into details?

Mr. COBURN.—Yes.

By the Commissioner:

Q. About how many machines were there?—A. Bought since I came here?

Q. That were not installed?—A. Bought previously, and bought since, and installed since?

Q. Yes?—A. Seven or eight.

Q. That would be about $20,000?—A. Yes.

Q. So that, with all that expenditure, you have been putting the road in pretty good order?—A. It is better, at any rate.

Q. It could not have been put in good order without that expenditure?—A. Not with the facilities at Walkerville.

Q. Nor with the facilities at St. Thomas, without the expenditure of that money?—A. No.

Q. What employees do you supervise?—A. All employees in the mechanical department.

Q. They cover engineers and firemen, in addition to the shop men?—A. Yes, sir.

Q. Who are your foremen?—A. We have a number of those we have in all about fourteen foremen on the Buffalo division.

Q. How long have they been here?—A. Some of them have been here for a number of years, others have been appointed since I came to St. Thomas.

Q. Who are the ones you appointed?—A. Mr. Dyell, round-house foreman at St. Thomas; Mr. Griffith, also round-house foreman at St. Thomas; Mr. Austin, round-house foreman at Walkerville; Mr. Herd, machine foreman; Mr. Berdett has been appointed night foreman of the machine shop; that is all I have appointed, I guess.

Q. Are there any other foremen there you have not appointed, and who have been appointed since you came here?—A. Edward Groening and Shoemaker.

Q. Who appointed them?—A. Mr. Groening was appointed by a bulletin issued in the St. Thomas shops; he was sent here by Mr. Kellogg for that purpose, and Mr. Kellogg appointed Mr. Shoemaker, or Mr. Stafford employed him. That was done when I was not in the city, and, when I came here, I found Mr. Shoemaker working.

Q. Mr. Groening was appointed by Mr. Kellogg?—A. Mr. Groening was appointed by me and approved of by Mr. Kellogg; he was sent here by Mr. Kellogg.

Q. He was sent here by Mr. Kellogg for appointment?—A. Yes, sir.

Q. And Mr. Shoemaker was appointed, as he said in his evidence?—A. Yes, sir.

Q. You have been relieving a number of the hands during the past month or two?—A. We have relieved a few engineers.

Q. Only?—A. There have been a few shop men relieved, very few, three or four, and eleven engineers.

Q. When were the eleven engineers relieved?—A. Monday of this week.

Q. Why were they relieved?—A. On account of not having sufficient work to keep the force all working.

Q. Were they Canadians?—A. Most of them were, most of our men in every capacity are.

Q. The exception to the rule is the Americans?—A. Yes, some are. some are not.

Q. The rule is that Canadians are employed?—A. Yes.

Q. And the exception to that rule is that there is an American here and there employed?—A. Yes, and also a man from a foreign country here and there, possibly about as many of those as there are Americans.

Q. You remember Mr. Tuller coming here?—A. Yes.

Q. He was sent with a letter from Mr. Essick or Mr. Kellogg?—A. No, sir, he made the request to Mr. Kellogg to allow him to come to St. Thomas to see if he could find anything for him to do here. Mr. Kellogg had nothing for him when he made the application to him, and he asked Mr. Kellogg if he would allow him to come to St. Thomas in search of employment as a locomotive engineer.

Q. And he brought that letter to you?—A. He had a letter of recommendation from Mr. Kellogg.

Q. Have you the letter?—A. No, sir, it was sent back to Mr. Kellogg with a notation on the letter from me that there was no employment in that capacity that we could furnish for Mr. Tuller; that we had more engineers than we could use or as many at that time.

Q. You gave him work as a machine hand?—A. Yes; a few days later we gave him work as a machinist's helper.

Q. At a considerably less remuneration?—A. Yes, sir.

Q. Were you dismissing or relieving machine men at that time?—A. No, sir, we had been advertising for machine men at that time in the Toronto and in the Stratford papers.

Q. Those eleven engineers you relieved on Monday could they have gone into the machine shops if they had desired it?—A. They could have a short time ago; I offered all of them an opportunity of going into the machine shop if they cared to do so, but at that time they did not care to do so, and later when it became necessary to reduce the force, we could not employ additional men; we had our shop in every capacity full. These men will be given an opportunity, however the first vacancy, if they care to go in the machine shop.

Q. There are no vacancies at the present time?—A. No.

Q. What is the usual salary for engineers?—A. About 3 to 3½ cents a mile, according to the class of service.

Q. How much would that be a day on the average?—A. For the month, men that have regular runs make in the neighbourhood of $100, and some times a little more.

Q. So that the machinists do not get near as much as engineers?—A. No, sir.

Q. You always lived in the States?—A. Yes.

Q. And you are an American citizen?—A. Yes, sir, I presume so; I had been five months away from there.

Q. You have not taken the oath of allegiance in Canada yet?—A. No.

Q. Who was your predecessor in St. Thomas?—A. We did not have any one in that capacity.

Q. There was no one in that capacity when you were appointed?—A. No, sir.

Q. Who had been acting?—A. There was no one acting in that capacity.

Q. Not at that time?—A. Not previous to that; Mr. Austin, I believe, had acted in that capacity at one time in Walkerville, and Mr. Royce superseded Mr. Austin.

Q. Where is Mr. Royce?—A. He is working for the Manistee Iron Company in Manistee, Michigan.

Q. I suppose there are Canadians who could fill the position of master mechanic?—A. I should hope so.

Q. Mr. Bartlett was in the service, was he not, when you came?—A. No, sir.

Q. Did you know him?—A. No, sir, I did not know Mr. Bartlett.

Q. Who would know anything about Mr. Bartlett?—A. Some of the men who have been employed on the Buffalo division prior to the time I came here, I did not know Mr. Bartlett at all. There are a number of men here, however, that have been employed under Mr. Bartlett, I presume.

Q. You do not know him?—A. No, sir.

Q. Is there a Mr. Knechtel?—A. Not to my knowledge.

Q. I thought you were acquainted with Mr. Bartlett?—A. No, sir, I never met him.

Q. Is there any foreman here now in your department who would know him?—A. I presume Mr. Austin would. Mr. Austin was here at that time.

Q. He is at Walkerville now?—A. Yes, sir. Possibly there are others who would know Mr. Bartlett; I do not know.

Q. Mr. Hunker is under you?—A. No, sir, Mr. Hunker is under the store department, which comes under Mr. W. C. Atherton, Detroit; that is a different department from ours.

Q. He has charge of the men in the store department?—A. Yes.

Q. He is in Detroit?—A. Yes.

Q. Who has charge of the store department in St. Thomas?—A. Mr. Hunker.

Q. Is there any record of Mr. Bartlett being in charge here as assistant master mechanic?—A. No, there is no record of him being assistant master mechanic to my knowledge; he was in charge as general foreman.

Q. That is the position Mr. Groening occupies?—A. Mr. Groening is now occupying the position of general foreman.

Q. Who occupied it immediately before Mr. Groening?—A. Mr. Stafford.

Q. Who before Mr. Stafford?—A. Mr. Royce.

Q. And who before Mr. Royce?—A. I guess before Mr. Royce, Mr. Bartlett; Mr. Royce was here prior to the time I came here.

Q. He was not here very long?—A. I think five or six months.

Q. How long was Mr. Stafford here?—A. Mr. Stafford came here January 8th and left March the 21st. . . . .

Q. He is over at Grand Rapids?—A. Yes.

Q. Was he on the Missouri Pacific or did he come from there?—A. I do not know, he worked at one time on the Missouri Pacific, but I do not think he was there prior to the time he came here; I am not prepared to say as to that. There is one point I would like to touch upon, that is in figuring up the expense and so forth, the increase in expense relative to why this new administration were able to put the power in condition where the old were not, there is one very important point that you failed to touch upon, that was the fact that at that time when the pay-rolls were less than they are now, when they had less machinery in Walkerville and the facilities were not as good to keep the power in condition, this work was being done for them in our shops in Saginaw the engines were being sent here from Saginaw, and the engines were being rebuilt at Saginaw and being sent here. That position does not exist at the present time, the Buffalo division is self-maintaining. Then in regard to the new engines sent here to increase the power, and increase expense on account of new engines coming here, we turned over to the other division engine for engine that came here, and in addition to that turned over a few more than we got, so that we will have quite a credit account there.

Q. But the engines that were here in operation were inferior engines at the time you took charge?—A. They were inferior engines at the time we took charge.

Q. And these had come from Saginaw?—A. Some of them had come from Saginaw, a number of them had come from there.

Q. And was it necessary to return them there in order to get repairs?—A. No, they were not returned there for repairs, but some were in bad condition, and engines in better condition were sent here, and loaned to the Buffalo division until such times as the Buffalo division got into the condition to do the work, and then they were returned to Saginaw.

Q. Were those engines much lighter than the engines you have obtained since?—A. Not any, they are about the same weight, there is a little difference in the cylinder, one is 20 x 26, and the other is 19½ x 28, the same rating.

Q. How many engines were there in operation when you took charge?—A. I have not the list of engines that were in operation when I took charge. The engines I refer to were four I loaned the Buffalo division from Saginaw, and after we got our power in position to do the work we returned those to Saginaw, and in addition to that we have returned four other engines.

Q. Did you put them in good order before you returned them?—A. Some of them were; some of them were right out of the St. Thomas shops, and had been in as good condition as when they came there.

Q. I suppose you say your power is in a better condition than when you came?—A. No, sir; I would let the service show that.

Q. Would not you say it was?—A. Yes, if I was called upon for a statement, I would certainly say it was, and the service substantiates the statement I make.

Q. Undoubtedly so, because your power is greater?—A. Yes.

Q. And naturally, the service would be better with greater power?—A. Yes.

AMY MCLEAN, sworn, examined:

By the Commissioner:

Q. You live at Ridgetown?—A. Yes.

Q. How long have you been living there?—A. Seventeen years.

Q. You are a stenographer, I believe, by profession?—A. Yes, sir.

Q. Engaged on the Père Marquette for some time?—A. Yes, I was.

Q. When were you first employed there?—A. February, 1903.

Q. Where?—A. At Ridgetown.

Q. And worked there?—A. In Mr. Cameron's office.

Q. He was the trainmaster?—A. Yes, sir.

Q. Where did you go from there?—A. I went up to Walkerville, last February, 1904.

Q. In whose department there?—A. Mr. Woollatt's.

Q. He was the general manager or superintendent?—A. He was superintendent.

Q. Where next did you come or go to?—A. We came to the office, and went down here to St. Thomas on November 28.

Q. The offices were removed from Walkerville to St. Thomas, and you came along?—A. Yes.

Q. Who took charge here, in St. Thomas, who was the superintendent?—A. Mr. Pyeatt came on December 1.

Q. You acted as stenographer for him?—A. For one day.

Q. Then what took place?—A. Well, we stopped the next day at noon.

Q. What caused you to stop so suddenly?—A. We had an intimation that Mr. Pyeatt was not a bit satisfied with our work.

Q. He had not very much of a chance, had he, to get dissatisfied?—A. I do not think so myself.

Q. Who told you he was dissatisfied?—A. I came across a letter written to Mr. Trump.

Q. From whom?—A. From Mr. Pyeatt.

Q. What did that state?—A. It stated that neither of us was capable to do the work, and that he wanted a man stenographer.

Q. I suppose he had a right to form that opinion?—A. Oh, certainly.

Q. But it intimated to you that you were not qualified for the work Mr. Pyeatt wanted?—A. Seemed to me that way.

Q. And in consequence of that you stopped work the next day?—A. Yes, sir.

Q. And went home?—A. Yes, I went home the next day—no, I went home the Monday following.

Q. Did you not even give them notice you were going?—A. Yes, sir.

Q. To whom did you give notice?—A. We left a note; we waited for Mr. Foreman.

Q. But Mr. Foreman did not turn up?—A. He was very busy, and it was quite late, so we thought we had better go home.

Q. What salary were you receiving?—A. Thirty-five dollars a month.

Q. And you had to pay your own expenses, your board?—A. Yes, sir.

Q. You have not been employed since?—A. No.

Q. They have not sent for you since then?—A. No.

Q. Could get along without you?—A. Apparently.

Q. Have you been desirous of getting work since then?—A. Of course, I would take a position, if I got one.

Q. Have you been trying to get a position?—A. I have looked about a little bit.

Q. You have not got one yet?—A. No.

Q. Possibly Mr. Pyeatt might give you a better position now, if you returned; you have not asked him?—A. No, sir.

Q. You do not feel like asking him, after writing that letter?—A. I do not know.

Q. How many were in the office at that time?—A. Miss Steel and myself, and Mr. Foreman and Mr. Cole.

Q. Mr. Foreman is the only man left there that was there at that time?—A. Yes.

Q. What was Miss Steel getting?—A. Twenty-five dollars a month.

Q. Was she a stenographer, as well?—A. Yes.

Q. Where did you learn the profession of stenography?—A. In Ridgetown.

Q. Did Mr. Cameron or Mr. Woollatt complain of your inefficiency?—A. I never heard; Mr. Woollatt always expressed himself as being satisfied.

Q. And Mr. Cameron the same way?—A. Yes. I think so.

Q. There were no complaints against your work?—A. No, none that I ever heard.

Q. There is a young lady there in the office, did you know that?—A. I suppose they would have to have somebody.

EDNA STEEL, sworn, examined:

By the Commissioner:

Q. When did you enter the service of the Père Marquette?—A. August the 9th, 1904.

Q. Where?—A. Walkerville.

Q. In whose department?—A. In the superintendent's office.

Q. What were your duties there?—A. Just stenographer work.

Q. Typewriting too?—A. Yes.

Q. Did Miss McLean do typewriting as well?—A. Yes.

Q. Typewriting and stenography go together?—A. Yes.

Q. You were junior to Miss McLean?—A. Yes.

Q. You moved down to St. Thomas about the 28th November?—A. Yes, sir.

Q. Receiving $25 a month?—A. Yes, sir.

Q. Then when did you put in your resignation?—A. The same day Miss McLean did.

Q. That was on the 2nd December?—A. Yes, sir, at noon.

Q. You both struck, as it were; it was in consequence of that unfortunate letter that you saw?—A. Yes, sir.

Q. That caused your feelings to rise?—A. Yes, sir.

Q. What was the expression you used when you saw that letter?—A. I do not know that I used any particularly.

Q. I guess you used something, do you remember?—A. No, I do not; I guess likely I said I would stop.

Q. Have you been employed since?—A. I do some work for my father at home.

Q. And you do not get $25 a month for that?—A. No.

Q. Are you looking for further service?—A. No.

Q. Not necessary, in your case?—A. No; I guess not.

Q. Were there any complaints made against your work in Walkerville?—A. Not that I know of.

Q. Mr. Pyeatt did not speak harshly to you when you came?—A. No, sir.

Q. Did not complain to your face you were inefficient?—A. No, sir, only the letter.
Q. The letter spoke louder than words, and his looks too?—(No answer).

WERNER C. GROENING, sworn, examined:

By the Commissioner:

Q. What is your position in the Père Marquette, St. Thomas?—A. General foreman of the shops.
Q. Under Mr. McManamy?—A. Yes.
Q. How long have you occupied that position?—A. In St. Thomas?
Q. Yes?—A. Since the 18th March, last.
Q. Where had you been employed previously?—A. In Detroit.
Q. In the shops there?—A. At the round-house.
Q. In Detroit?—A. Yes.
Q. Of the Père Marquette?—A. Yes.
Q. How long had you been employed there?—About six weeks.
Q. Where did you come from to there?—A. From Saginaw.
Q. In the shops there?—A. Yes, sir.
Q. How long were you in the shops there?—A. On the 20th June, 1886.
Q. That is almost 19 years now?—A. Yes.
Q. What position did you occupy there?—A. Assistant general foreman.
Q. Under whom?—A. Essick.
Q. He is the general foreman?—A. Yes, sir.
Q. Who was the master mechanic there—there were two or three during that time?—A. Mr. Bowden was master mechanic when I left there.
Q. Mr. Christie had been master mechanic?—A. Yes.
Q. What was Mr. Kellogg's position?—A. General master mechanic.
Q. For the whole system?—A. Yes, sir.
Q. What salary were you receiving there?—A. $80 a month.
Q. And at Detroit the same?—A. No, received $100 there.
Q. How many weeks were you there?—A. Either five or six weeks.
Q. You only received that for that time?—A. Yes, sir.
Q. Previous to that you had been receiving $80 at Saginaw?—A. Yes.
Q. How did you come to St. Thomas?—A. There was a position open, better pay.
Q. Who told you about it?—A. Mr. Kellogg.
Q. Mr. Kellogg at Grand Rapids?—A. Yes, sir.
Q. Did he write to you or did you see him personally?—A. I saw him personally.
Q. Where?—A. At Detroit.
Q. He came to see you there?—A. Yes, sir.
Q. What did he offer you ?—A. He made no offer at all; he told me there was an opening here for advancement and he wanted to transfer me from Detroit to St. Thomas.
Q. At what salary?—A. There was nothing stated about salary at that time.
Q. Did you write to St. Thomas then?—A. No, sir. I came to St. Thomas.
Q. You came according to instructions?—A. Yes, sir.
Q. Who gave you transportation?—A. Mr. Kellogg.
Q. When was this?—A. 17th March.
Q. You received instructions from Mr. Kellogg and transportation, and started the same day?—A. Yes, sir.
Q. Have you brought your family since?—A. I think they will be here to-night, the more sorrow.
Q. You are getting transportation for them?—A. Yes, sir.
Q. What salary are you getting here?—A. $110.
Q. What are your duties here?—A. To superintend the shops.
Q. Different from the position you occupied in Saginaw?—A. A little more authority, yes, sir.

Q. Do you employ men under you?—A. Yes, sir.

Q. You have that authority just the same as Mr Shoemaker had?—A. Yes, sir.

Q. He has charge of the boiler men?—A. Yes, sir.

Q. Have you been employing men lately?—A. I have.

Q. Can you give me the names of any men you employed?—A. The applications are all in the Master Mechanic's office.

Q. I see they were all sent back to Mr. Kellogg?—A. That is the headquarters.

Q. We only found a few here; what men are they that you employ?—A. Machinists, helpers, laborers.

Q. Did you employ Tuller?—A. No, sir, he was here before I came.

Q. What date did you come?—A. 18th March.

Q. When was he here?—A. I could not say, Tuller was off sick when I came here.

Q. I see Stafford employed him on the 11th March; did you employ McMillan?—A. I did.

Q. You knew him over in Saginaw?—A. I did.

Q. A good man?—A. A good man.

Q. Did you employ McIntyre?—A. Yes.

Q. Where did he come from?—A. From Saginaw.

Q. You knew him too?—A. Yes, sir.

Q. Any other Saginaw men?—A. Not that I know of.

Q. Are these the only two men?—A. That is all I know. Mr. Hales was working here when I came here.

Q. He is an old Saginaw man?—A. Yes.

Q. Any other Saginaw men besides that quartet?—A. Mr. Glover.

Q. What position does he occupy?—A. Machinist.

Q. When was he employed?—A. I could not say, he has been over a year or so.

Q. He was before you?—A. Yes.

Q. I had reference more particularly since you came here?—A. That is the only two I have employed.

Q. The only two you knew over in Saginaw?—A. Yes.

Q. Did you write for them to come?—A. No, sir.

Q. To any of their friends?—A. No, sir.

Q. Did they write to you?—A. No, sir.

Q. Neither of them?—A. No, sir.

Q. How did they come here?—A. I do not know how they came here, they came here looking for a job I suppose.

Q. They knew you were here?—A. Yes.

Q. A good sort of man to work under?—A. Yes, that is what they came for, or else they would not have come.

Q. Did you do anything to invite them over?—A. No, sir.

Q. Not even your reputation, that would invite them, would it not?—A. They came of their own free will.

Q. Whose position did Mr. McIntyre take?—A. I cannot remember: I do not think he took anybody's position.

Q. Was not there any position open for him before he came?—A. There was a vacancy on the road at the time he came.

Q. For how long before he came, a week?—A. Yes, more than a week, a little over a week.

Q. Did he know about it?—A. No.

Q. Are you sure he did not?—A. I know he did not.

Q. Why?—A. How should he know.

Q. Did not anybody know who had anything to do with the shops?—A. He did not know of this vacancy.

Q. You say that assuredly; why do you say that? Did all the other men know there was a vacancy?—A. Yes, sir, in one way; sometimes we replace men, and other times we do not.

Q. Swigart was the man whom he replaced; where did he go to?—A. I could not tell you; I think the last place he went to was Grand Rapids, the last I heard of him.

Q. When did he leave?—A. I could not tell you.

Q. Two weeks before Mr. McIntyre came?—A. From the shops?

Q. Yes?—A. About in that neighbourhood—no, it was not; it was about a week, I should judge.

Q. And then McIntyre came, and you put him in Swigart's place?—A. In order to fill up the blank.

Q. You gave him the same wage?—A. Yes.

Q. Are the wages higher here than they are in Saginaw?—A. They are less at present.

Q. How much are they at Saginaw?—A. They are paying 28 cents an hour, and they are only paying 26 cents here.

Q. Is that what McIntyre was getting over in Saginaw, 28 cents?—A. I won't say for sure what McIntyre was getting in Saginaw.

Q. How much was McMillan getting in Saginaw?—A. He was making, $2.47, at the rate of 27 cents an hour.

Q. And he got $2.85 when he came here, so that is an increase here?—A. Yes, that is the schedule on this side of the river for tool-makers.

Q. So that they are improving their condition by coming to St. Thomas?—A. Yes.

Q. Naturally, that is what they come for?—A. That is what I came for.

Q. And to what extent have you improved your condition, $10 a month only?—A. Yes.

Q. You always lived in the States before coming here?—A. Yes, sir.

Q. An American citizen?—A. Yes, sir.

WALTER H. COLE, sworn, examined:

By the Commissioner:

Q. Are you employed in the Père Marquette railway in St. Thomas?—A. I am a brakeman on a passenger train.

Q. Running where?—A. Between Walkerville and London.

Q. How long have you been brakeman?—A. Since February 28.

Q. What position did you occupy before that?—A. Clerk in Mr. Pyeatt's office.

Q. You were with the young ladies we had here?—A. Yes, sir.

Q. Did you leave with them?—A. No, sir, I remained on.

Q. You had no cause to leave?—A. No, sir.

Q. Do you remember their leaving?—A. Yes, sir.

Q. Did they assign any reason to you for leaving?—A. Only they thought their services were not being satisfactory, and there was some one going to take their place.

Q. Did they agree with Mr. Pyeatt?—A. I do not think they had any consultation.

Q. They came to the same conclusion: he thought they were not satisfactory, and they evidently thought they were not satisfactory to Mr. Pyeatt. Had any charges been made against them?—A. Nothing particulary that I know of.

Q. Anything that was not particular?—A. No, sir.

Q. Nothing general?—A. No, sir.

Q. What were your duties there?—A. I entered up correspondence, and I did some typewriting once in a while, and made out the vouchers.

Q. Regular office work?—A. I was clerk.

Q. You are getting bigger now, but at that time you were office boy: what salary were you getting then?—A. When I came to St. Thomas, I was increased from $45 to $50 a month.

Q. What salary were you getting then?—A. Fifty dollars a month in Mr. Pyeatt's office.

Q. When did you leave the office?—A. February 27 or 28.

Q. What was the difficulty with you, were the rooms too small for you?—A. They were not very large; I had my home in Walkerville, and under the circumstances I was not able to leave at the present time, and I thought I would take something that would take me home as often as possible, and I asked to be changed to the train service, if possible.

Q. When were you changed?—A. On February 28, I think it was, in the train service.

Q. At an increased salary?—A. I am working by the hour and day now, and if I do not work, I do not get any pay.

Q. How much a day do you get now?—A. One day, make $1.80, and the next day about $2.70.

Q. Are you working every day?—A. Every day but Sunday.

Q. So that you have improved your position financially?—A. I have, to a certain extent.

Q. Harder work, too?—A. Yes, sir.

Q. Greater risk?—A. Yes, sir.

WILLIAM L. HUNKER, sworn, examined:

By the Commissioner:

Q. What is your position?—A. Storekeeper.

Q. In St. Thomas, for the Père Marquette?—A. Yes, for the Buffalo division.

Q. How long have you acted as storekeeper?—A. Since December 27, 1904.

Q. What position did you occupy previous to that?—A. I was stock clerk at the Shawanee store, at Rock Island.

Q. Where?—A. Oklahoma.

Q. How did you come east?—A. I wanted to get closer to home.

Q. Where is your home?—A. Elkhart, Indiana.

Q. Are you closer to home here?—A. About 700 miles closer.

Q. How many hundred miles is it from here to Elkhart, Indiana?—A. About 300.

Q. What were you receiving as salary at Oklahoma?—A. $75 a month.

Q. What are you receiving in St. Thomas?—A. $70 a month.

Q. So that you are $5 worse off?—A. Yes.

Q. But nearer home would make the difference?—A. Yes, sir.

Q. You are not a married man?—A. No, sir, no prospect.

Q. Where were you employed on the Père Marquette?—A. The letter I got asking me to come to the road offered me the position of storekeeper at Muskegan, Michigan.

Q. Where was that letter sent from?—A. From Mr. Atherton's office; he was then at Saginaw, Michigan.

Q. He was superintendent?—A. General storekeeper at Saginaw.

Q. He wrote to you from Saginaw?—A. Yes, sir.

Q. To Oklahoma?—A. Yes, sir.

Q. Did you know him?—A. I did not know the man personally.

Q. How did he come to write to you?—A. I had filed an application with him some time before for a position.

Q. He told you to come where?—A. The letter I got from him told me to report to room 10 Depot Building at Saginaw, Michigan. The first letter he wrote offered me a position as storekeeper at Muskegan.

Q. That is still nearer home?—A. Yes, sir.

Q. When you got to him what then?—A. I reached his office nine o'clock 27th December, 1904.

Q. A couple of days after Christmas?—A. Yes, sir, I was at home at Christmas, and it took me to the next day to get up to Saginaw.

Q. What was the result of your going to him on the 27th?—A. Mr. Atherton was not there, he was at Walkerville that day, and the man in charge, Mr. Minot, said he had instructions to send me to Walkerville, and I went down to Walkerville.

Q. He gave you transportation?—A. Yes.

Q. Did he give you transportation from Oklahoma?—A. No, I had transportation from the Rock Island from Oklahoma to Chicago.

Q. And you paid your way after that?—A. I paid my way to Elkhart.

Q. Railway men never pay their way?—A. I certainly did that time.

Q. You remember that?—A. Yes.

Q. You got transportation from Saginaw to Walkerville?—A. Yes, sir.

Q. What wage had he offered you?—A. $65 a month at Muskegan, Michigan.

Q. He could not give you that position?—A. After I got to Saginaw, after he had offered me that, the storekeeper on this side skipped out and left him, so he had a man he could put in at Muskegan, and he sent me over to Walkerville.

Q. At $70 a month?—A. Yes.

Q. Mr. Minot offered you $70?—A. Mr. Minot never said anything about what the salary would be.

Q. Who offered you the salary?—A. He never said anything about what it was until I saw in the pay-rolls what it was going to be.

Q. You were surprised in getting $5 more than you expected?—A. Yes, sir.

Q. You would not object to those surprises occurring frequently?—A. No, sir, right along every month.

Q. In Walkerville you took charge?—A. Yes, sir.

Q. On the 28th December?—A. I got down there about 4.30 of the 27th, and I worked the rest of the afternoon and that evening.

Q. You are the kind of men railway companies are after; did you meet Mr. Atherton there?—A. Yes, sir.

Q. He told you what to do?—A. Yes, sir.

Q. And not to do like the other man?—A. No, I have not done it yet either.

Q. You were born where?—A. In Michigan.

Q. I suppose you have travelled over every state in the United States since then?—A. No, I wish I had.

Q. You have never been out of the States since you were born until now?—A. Until I came here in December last.

Q. You are an American citizen?—A. Yes, sir.

Q. What are your duties as storekeeper?—A. I have charge of all the supplies that are used on the division outside of some of the large items that are used by the engineering department.

Q. Are there any persons under you?—A. Yes, sir.

Q. Who?—A. Mr. Bernard, and W. A. Bedin are my clerks, and John O'Lone and Harry Cassell work in the store.

Q. Are these all Canadians?—A. The two clerks are Canadians, and Harry Cassell was born in England, and John O'Lone in Ireland.

Q. They are almost as good as Canadians?—A. Possibly.

Q. You are the only American, I suppose?—A. Yes, sir.

Commission adjourned at 1 P.M. to 2 P.M.

Commission resumed at 2 P.M.

AUSTIN J. DAWDY, sworn, examined:

By the Commissioner:

Q. You are a brakeman on the Père Marquette railway?—A. Yes, sir.

Q. When did you come to St. Thomas?—A. In November, 1904.

Q. Where from?—A. Buffalo.

Q. What road were you on there?—A. On the Erie.

Q. How long had you been there?—A. Between eleven and twelve years.

Q. When did you leave the Erie road?—A. I quit there on December 29.

Q. You came here in November?—A. That was the first time I was in; I came here and started work on January 2.

Q. What did you come here in November for?—A. Looking for a job.

Q. You were still connected with the Erie at that time?—A. Yes, sir.

Q. Why was it necessary to come here?—A. Well, it was a new road, and I thought I would try and better myself.

Q. Better your position?—A. Yes, sir.

Q. What were you getting on the Erie?—A. It just depends upon what kind of run you have; some runs pay more than another.

Q. What was your average?—A. Two dollars and twenty cents a day was the job I was on.

Q. Was that the average?—A. That is what they paid on pick-ups.

Q. Who was it you saw here in November?—A. I saw Mr. Smith; the trainmaster was not here; I stayed here three days, and I could not see the trainmaster—he was sick or out of town—and I came back again.

Q. You saw Mr. Smith?—A. Yes.

Q. Was he the clerk in the trainmaster's office?—A. Yes, and he said he did not know when the trainmaster would be back, and I stayed here three or four days, and I came back again.

Q. And you returned in January?—A. The latter part of December; I went to work on January 2.

Q. At what wage?—A. They pay so much a mile.

Q. Three cents a mile?—A. They do not get hardly that; it just depends, some runs pay more than others; the west end pays a little more than the east end, and it depends on which end you have to work.

Q. You have not your choice?—A. No, you go where you are sent.

Q. Are the wages greater than you had been obtaining on the Erie?—A. No, sir.

Q. Not as good?—A. No, sir.

Q. You have not bettered your position yet?—A. No, sir.

Q. You are hoping for better days?—A. Yes.

Q. Your wife and family live in Buffalo?—A. No, they are here now.

Q. They were living in Buffalo at the time?—A. Yes.

Q. Did you write to any one over here about your coming here?—A. No, sir, I came here myself.

Q. Without any invitation?—A. No invitation whatever.

Q. No hobo put it into your mind?—A. No, sir.

Q. You are an American citizen?—A. Yes, sir.

Q. Your people live in Hamilton, your father and mother?—A. My mother is dead.

Q. Your father lives in Hamilton, Ontario?—A. Yes, sir.

Q. Has he always lived there?—A. No, sir, he moved there when I was about six years old.

GEORGE PENNY, sworn, examined:

By the Commissioner:

Q. What position do you occupy on the Père Marquette in St. Thomas?—A. Brakeman.

Q. When did you come to St. Thomas?—A. I hired from Walkerville first; I started on the road September 20.

Q. Where were you living at the time you hired with the Père Marquette?—A. I was boarding in Windsor.

Q. Where were you working?—A. I had been previously working in Detroit.

Q. With the Farrand Organ Company?—A. No, sir, the Cadillac Cabin Company.

Q. Had you been with the Farrand Organ Company before that?—A. No, sir, just nine months before.

Q. For nine months?—A. Yes.

Q. You went to the Cadillac Cabin Company?—A. Yes, sir.

Q. You were engaged with them up to September, 1904?—A. Yes, that is about the time.

Q. While you were engaged by them you made application to be appointed brakeman on the Père Marquette?—A. Yes, sir.

Q. Whom did you apply to for the position?—A. The trainmaster.

Q. Where?—A. From Windsor.

Q. Was the trainmaster at Windsor?—A. No, sir, St. Thomas.

Q. Who was the trainmaster?—A. Mr. Cameron.

Q. Did you apply at the Detroit offices?—A. No, sir.

Q. Did not know the Detroit offices?—A. No.

Q. Sure?—A. Yes, sir.

Q. Do you know Mr. Babbitt in the Detroit office?—A. No, sir.

Q. Did you get any one to write to the Company in Detroit on your behalf?—A. No one at all.

Q. The Farrand Organ Company wrote?—A. No, sir.

Q. Do you know the signature of the Superintendent of that company?—A. I could not say.

Q. Do you think that is his signature to that letter?—A. I could not swear to his signature at all.

Q. How did they come to write on the 9th September to the Père Marquette at Detroit: 'Mr. George Penney has worked for us as cabinet maker for the past six or eight months. I have found him a reliable and good worker'—did you ask him for any such recommendation?—A. I asked the Farrand Organ Company when I left their service for a recommendation, but it was not for the interests of the railroad, it was for my own use, wherever I went to.

Q. You gave this to Mr. Babbitt?—A. No, sir; when they asked me for my record I sent that in to the Père Marquette.

Q. To whom did you send it?—A. I sent it to the trainmaster.

Q. You also sent other certificates?—A. Yes, sent the C.P.R.

Q. When was it you were employed, about the 23rd September, 1904?—A. Yes, sir.

Q. You have been working ever since?—A. Yes, sir.

Q. You were born in England?—A. Yes, sir.

Q. When did you become an American citizen?—A. On the 17th September.

Q. Last year?—A. Yes, sir.

Q. I see you took some pride in putting down your nationality as an American citizen, you were just full of it at that time; did you think that was going to assist you in getting on the Père Marquette?—A. Not at all.

Q. You had been working in Detroit up to that time?—A. Yes.

Q. And that was the reason you became an American citizen?—A. Yes, sir.

Q. How many years had you been working in Detroit?—A. About 18 months, I think.

Q. Is that all?—A. Yes.

Q. Where were you before that?—A. On the C P. R. for six years.

MR. COBURN.—That letter is not addressed to the company?

THE COMMISSIONER—No; it is initialled by Mr. Babbitt.

MR. COBURN.—It is to whom it may concern.

THE COMMISSIONER—Yes.

MR. COBURN—Mr. Babbitt is a Michigan Central officer here.

MR. PYEATT.—I think there was a clerk in Detroit employed, but I do not know any one by the name of Babbitt.

ANGUS R. MCINTYRE, sworn, examined:

By the Commissioner:

Q. You are a pipe-fitter?—A. Yes, sir.

Q. In the shops at St. Thomas of the Père Marquette?—A. Yes, sir.

Q. You came from Saginaw to here?—A. Yes, sir.

Q. April of this year?—A. Yes,sir.

Q. Do your family reside still in Saginaw?—A. Yes, sir.

Q. How long were you living there?—A. I lived there my whole lifetime. I was employed outside the city by a Saginaw concern, but that was my home.

Q. How many years were you on the railway there?—A. I was nearly seven years.

Q. You are a married man with a family?—A. Yes, sir.

Q. You knew Mr. Groening there?—A. Yes, sir.

Q. Did you work under him?—A. Yes, sir.

Q. Did you know Mr. Frank Swigart?—A. No, sir.

Q. Who was it you knew in St. Thomas besides Mr. Groening?—A. I was not acquainted with anybody in St. Thomas.

Q. Did Mr. Essick speak to you about St. Thomas?—A. No, sir.

Q. Who spoke to you about St. Thomas?—A. No one.

Q. How did you come to remove here?—A. I was dissatisfied with my position in Saginaw, and being Mr. Groening was a friend of mine I thought possibly there might be an opportunity for me to get work here, and I came looking for work.

Q. Did you get transportation?—A. Yes, sir.

Q. From whom?—A. An order from Mr. Essick to Mr. Bowden.

Q. Mr. Bowden is the master mechanic?—A. Yes, sir.

Q. At Saginaw?—A. Yes. It is customary after being in the service a number of years, and leaving everything satisfactory, for them to give you transportation whichever way you wish to go.

Q. Did you know there was a vacancy at that time?—A. No, sir.

Q. Did not hear about that?—A. No, sir.

Q. When did you arrive here?—A. The night of the sixth.

Q. When did you see Mr. Groening?—A. I saw Mr. Groening the forenoon of the seventh.

Q. The next morning?—A. Yes, sir.

Q. When were you taken on?—A. I started to work Saturday.

Q. What were you receiving over at Saginaw?—A. 24 cents.

Q. And here 26 cents?—A. Yes.

Q. So that you have bettered your position?—A. Yes, sir.

Q. To what place did you ask for transportation?—A. To St. Thomas.

Q. Did you know anything at all about a vacancy here?—A. No, sir.

Q. No one spoke to you about it?—A. No, sir.

Q. Did you hear they were employing men here?—A. No, sir.

Q. How did you come when you did not know they were employing men?—A. I relied on my abilities as a mechanic, and thinking possibly Mr. Groening being a friend of mine that if there was any opening I might be able to get something.

Q. You knew Mr. Groening was here and had charge of the works?—A. Yes, I knew he was here, and what his position was I was not sure.

Q. You knew it would be a good position he would occupy?—A. Yes, I presume he would not leave Saginaw unless he got something better.

Q. That is the reason you left Saginaw?—A. I left there with the expectation of bettering myself if possible.

Q. You were on the same system?—A. Yes, sir.

Q. Did they transfer you here?—A. No, sir.

Q. Who was it you spoke to about coming to St. Thomas while you were at Saginaw?—A. I never spoke to any one until the day I quit there.

Q. The day you quit, whom did you speak to about it?—A. I just spoke to the foreman of the pit-side, Mr. Rick; told him I was through there that night, that was

an hour before quitting time, and I could not see none of them until Monday afternoon I went there. I was rather undecided which way I was to go. I had been working for a concern there at Saginaw before, and I went up there and I saw them, and they offered me a position, and it was travelling on the road all the while, and I did not bother, and thought I would look for something else. I thought of Mr. Groening, and thought there might possibly be some opening here, and if there was not I would go further.

Q. You received no letter from Mr. Essick to come here?—A. No, sir; they were dissatisfied at my leaving there.

Q. You are an American citizen?—A. Yes.

Q. Mr. Groening, of course, knew that when he appointed you?—A. Yes, sir.

CHARLES WELCH, sworn, examined:

By the Commissioner:

Q. You came from Ohio?—A. Yes, sir.

Q. From Fulton County?—A. Yes, sir.

Q. Where your people still live?—A. Yes.

Q. When did you come here?—A. In the middle of December.

Q. What did you do when you came here in December?—A. I went to work for this company.

Q. Who was it employed you?—A. Mr. Royce.

Q. Was he the general foreman of the shops?—A. He was at Walkerville.

Q. It was to Walkerville you came?—A. Yes, sir.

Q. Did any one write to you to apply there, or to go there, or offer you a position?—A. No, sir.

Q. How did you come to apply?—A. I was in Detroit, and I came across.

Q. Living in Detroit?—A. No, just came there from Saginaw.

Q. Were you working at Saginaw?—A. No, sir, I was working north of Bay City.

Q. On this road?—A. No, sir.

Q. What were you working at?—A. For myself.

Q. In what capacity?—A. Lumbering.

Q. You came from Bay City to Detroit?—A. Yes, sir.

Q. When did you arrive at Detroit?—A. About the 7th December.

Q. What induced you to come to Detroit?—A. Something to work.

Q. Any friend of yours in Detroit?—A. No, sir.

Q. Came without any inducements whatever to Detroit?—A. Yes, sir.

Q. To whom did you apply in Detroit for work?—A. I did not apply there at all

Q. Did not apply in Detroit?—A. No, sir.

Q. Where did you apply for work?—A. I came across the river to Walkerville.

Q. Who did you see there?—A. I saw this company, Mr. Royce, and I hired to him.

Q. What wages?—A. The scale of wages on the road.

Q. You hired as a brakeman?—A. A fireman.

Q. They examined you as to your ability to act as fireman?—A. Yes.

Q. Had you acted as fireman before?—A. Yes.

Q. Where?—A. On the Grand Trunk.

Q. Battle Creek?—A. Yes, sir.

Q. That is a couple of years before that?—A. Yes, sir.

Q. And you left them in March, 1902?—A. Yes, sir.

Q. Did not give you high enough wages?—A. No.

Q. What were they giving you there?—A. Different rates.

Q. So much a mile?—A. Yes.

Q. Is that the way firemen are paid?—A. Yes, by mileage.

Q. Who is Mr. B. E. Lyons?—A. School teacher.

Q. He gives you a very good character as an industrious young man; you wrote to him for that?—A. Yes, sir.

Q. I suppose you are an American citizen?—A. Yes, sir.

Q. And have you been in the employment of the company ever since?—A. Yes, sir.

Q. I hope given satisfaction?—A. Well, as far as I know.

The COMMISSIONER—(To Mr. Coburn).—I have got all the information I can get to-day. You can call any witnesses you wish.

EDWARD F. MCCARTHY, called by Mr. Coburn, sworn, examined:

By Mr. Coburn:

Q. You are yard master here at St. Thomas for the Père Marquette?—A. I am general yard master for the Père Marquette at St. Thomas.

Q. What are your duties in regard to hiring men?—A. Nothing but hiring the man I think is fit for the job, that is, Canadians.

Q. What jobs?—A. Switching, charge of engines.

Q. It is charged that preference is given to aliens and that Canadians are discharged in order that aliens may be hired?—A. Not in my case.

Q. Has anything of that sort taken place?—A. Never taken place to my knowledge, not in my jurisdiction.

Q. Have you done anything of the sort?—A. I have hired since I have been there about six men, and every one of them were Canadians with families in St. Thomas.

Q. Have you had applications from men from the other side?—A. Yes, I have had two that I know of.

Q. Did you hire either one of them?—A. No, sir, I sent them to Mr. Cain; one man came from Saginaw, Michigan, worked for the Père Marquette there, and one off the Lehigh in the east. The man from the Lehigh was brought to me by some of the train men to give him a job and I sent him to Mr. Cain, told Mr. Cain about him, that he was off the Lehigh, and also this man from Saginaw off the Père Marquette, and Mr. Cain advised me they did not look good to him, and that settled it. I turned around and hired William Middleton of the city, and Michael O'Connor of the city.

Q. You had those places vacant at that time?—A. Yes, sir, I needed men.

Q. You have had no such instructions?—A. No, sir, when I hire a man there are no questions asked if he suits.

Q. All you look for is competent help?—A. If the man suits me I keep him.

By the Commissioner:

Q. How long have you been yard master?—A. I have been yard master all winter, and general yard master about three months.

Q. From what time in winter?—A. I do not know just when I did take charge of the yards.

Q. December or January?—A. Early in December.

Q. Who appointed you?—A. I was appointed before Mr. Cain came by Mr. Cameron.

Q. What had you been doing previously??—A. Switching in the yard.

Q. For how long?—A. From August the 26th.

Q. And before that?—A. With the Grand Trunk Company in London.

Q. You had been there for a number of years?—A. No, I had been with the Grand Trunk twenty-six years previous to five or six years ago, I went away and worked for the Grand Trunk in Michigan.

Q. Who had been yard master previous to your appointment in December?—A. John Gillian was yard master, he took charge of an engine in the yard at his own request, and I took his place in the yard under Mr. Cameron's instructions as train master.

Q. What became of John Gillian?—A. He was working under me.

Q. Was he yard master at one time?—A. Yes.

Q. Not master mechanic?—A. No.

Q. Nor assistant?—A. Yard foreman and night switchman. He gave up the night work and took charge of the engine. General yard master Mr. George Hayes was appointed conductor on the local, and I was appointed in his place.

Q. Who appointed George Hayes conductor on the local?—A. Either the Superintendent or Mr. Cain.

Q. Either Mr. Pyeatt or Mr. Cain?—A. Yes.

Q. When was that?—A. Three months ago.

Q. Why was that change made?—A. Mr. Hayes had asked to go out on the road and hold his rights. Previous to being yard master he was a conductor, and he wanted to get out on the road again as a conductor so he told me himself that he was trying to get out, and told me if I would go on nights he would get on the road, and I could probably work into his place.

Q. Which is the better position?—A. Conductor.

Q. Makes more money?—A. Yes, and makes it easier.

Q. Is it Gillian?—A. Gilling, I think is the way he spells it.

Q. Then I have another one?—A. Probably you have reference to the locomotive foreman.

Q. Do you know a man named Gillam, who was master mechanic?—A. We had a foreman out there named something like that.

Q. Where, at Walkerville?—A. St. Thomas.

Q. Where is he now?—A. I think he quit to take a locomotive some place, running an engine.

Q. Who would know about him?—A. I do not know.

Q. In whose department is he?—A. I do not know where the man is.

Q. Is he on the road?—A. Not to my knowledge.

Q. Not in connection with the Père Marquette at all?—A. Not to my knowledge.

Q. Where was he when you knew him?—A. He was working around; foreman out in the shops.

Q. When?—A. During the winter.

Q. This last winter?—A. Yes, sir; a man by that name.

Q. And has he left the service?—A. I cannot say; he is not around there where I am.

Q. J. Gillam?—A. I do not know whether his name is J. Gillam.

Q. You do not know what has become of him?—A. No, sir.

Q. What men have you under your charge?—A. I have nine switchmen.

Q. Where are they employed—in St. Thomas?—A. In and about the yards.

Q. Who employs them?—A. The switchmen, some of them have been employed previous to my going there; the new men I have employed.

Q. How many new men have you employed?—A. Probably six; somewhere in that neighbourhood; some reinstated

Q. Can you give me the names of those you have employed?—A. William Middleton, Michael O'Connor, William Stewart.

Q. Where is he from?—A. The city; and Marshall.

Q. Where is Marshall?—A. He is on the road working just now; he is from London; he worked on the Canadian Pacific Railway there, I cannot say how long.

Q. Who are the other two men?—A. Armitage in the city here, and there is another one, I do not know who it is now.

Q. Where did they come from?—A. The city and London.

Q. Both of them?—A. Armitage and this other man——

Q. There were six you employed?—A. Yes, I sent a man up to Mr. Cain here the other day; he gave him an application to fill out and he is waiting now to see Mr. Cain.

Q. Mr. Cain really employs the men?—A. I employ them and set them to work, and recommend them to Mr. Cain.

Q. What is your salary?—A. $90 a month.

Q. Has it always been that?—A. No, sir, it has been $75 all winter till I took the day yards, and it has gone to $90.

Q. That is satisfactory to you?—A. Yes, sir.

Q. In whose department would Gillam be?—A. I should judge he would be under the locomotive department, mechanical department.

Q. Would that be under Mr. McManamy?—A. I suppose it would.

Q. You say Mr. Hayes retired from the position of yard master at his own request?—A. He advised me that was the fact; whether it is different I do not know.

Q. Where is he now?—A. He is away burying his sister at Windsor.

Q. He went up there for a day or two?—A. He left here the day before yesterday; he may be here to-morrow.

JOHN MCMANAMY, recalled.

By the Commissioner :

Q. Do you know this man Gillam?—A. Yes, sir.

Q. What position did he occupy?—A. Roundhouse foreman at St. Thomas.

Q. When was he appointed there?—A. I do not know just the date; I think, some time in January.

Q. Who appointed him?—A. I did.

Q. Where did he come from?—A. He came here from Chicago. I think he was looking for a position in Chicago, and had a letter of recommendation from Mr. Kellogg to me.

Q. And you appointed him foreman of the roundhouse, and how long did he remain there?—A. A couple of months, I should judge, may be between two and three months.

Q. Then where did he go to?—A. I do not know where he went from here; he was dismissed from the service here.

Q. For cause?—A. Yes, sir.

Q. And he left the country as well as the line?—A. He left Canada at any rate: he was going to Grand Rapids he told me, but I never heard from him since he went away, and do not know where he has gone.

Q. Is the timekeeper under you?—A. In our department.

Q. Who is the timekeeper?—A. Douglas Balsden.

Q. How long has he been here?—A. He was here previous to the time I have been here, probably a couple of years, he was clerk before I came, formerly from the Michigan Central in St. Thomas.

Q. Is the yardmaster under your jurisdiction?—A. No, sir.

EDWARD ALLEN, sworn, examined.

By the Commissioner :

Q. Are you a fireman?—A. No, sir.

Q. What are you?—A. Working in the shops.

Q. What is your position in the shops?—A. Labourer.

Q. I thought you were a drill hand?—A. No, sir.

Q. That is what I have noticed here; you were born in Pennsylvania?—A. Yes, sir.

Q. Your people live over there in Pennsylvania still?—A. Yes, sir.

Q. Where was it you worked before you came to St. Thomas or Walkerville?—A. Oil City.

Q. When did you leave the Oil City neighbourhood?—A. 13th July last.

Q. Where did you go to from there?—A. I came to Walkerville.

Q. What induced you to come to Walkerville?—A. On a visit.

Q. To whom?—A. To J. W. Hocking.

Q. Who was Mr. Hocking?—A. Foreman of the shop.

Q. In Walkerville?—A. In St. Thomas.

Q. Was he foreman of the shop at Walkerville at the time?—A. Yes.

Q. Is he a friend of yours?—A. Yes, sir.

Q. Did he ask you to come over?—A. No, sir.

Q. How was it you called on him?—A. He used to live there four or five years, and I and his son were chums, and I just came over to see him.

Q. And he employed you?—A. Yes, sir.

Q. Did you write to his son about coming over?—A. No, sir.

Q. Did his son write to you?—A. No, sir.

Q. Sure; did you not keep up correspondence?—A. I got one or two letters.

Q. And he invited you over?—A. No, sir.

Q. And you moved with the shop from Walkerville to St. Thomas?—A. Yes, sir.

Q. Are you a Welshman?—A. Some.

Q. You are not an American?—A. I was born an American.

Q. How old are you?—A. Twenty.

James L. Eberts, called by Mr. Coburn, sworn, examined.

By Mr. Coburn:

Q. You are in the employ of the company?—A. Yes, sir.

Q. And for how long?—A. Going on eight years.

Q. That is for the Père Marquette and the Lake Erie before them?—A. Yes, and for the Erie and Huron.

Q. Your employment has been in Canada altogether?—A. Yes, sir.

Q. And you are now conductor?—A. Yes, sir.

Q. How long have you been conductor?—A. Going on five years.

Q. What do you say about the condition of the road now and as it was a year ago. Would that cover the period in question?

The Commissioner.—My impression is it would.

By Mr. Coburn:

Q. How does the condition compare so far as the work of the men is concerned?—A. It has been all right with me.

Q. Has there been any improvement or otherwise in the past two years or past year?—A. Yes, there has in the past year.

Q. Improvement in your work?—A. Yes, sir.

Q. And pay?—A. Yes, sir.

Q. That is, you get more money and earn it easier?—A. I do not earn it any easier. I have to work for it just the same.

Q. But you get over the road easier?—A. Yes, we have engines to get over the road with.

Q. You are a Canadian?—A. Yes, sir.

Q. And have not been threatened with dismissal to make way for an alien?—A. Not yet.

By the Commissioner:

Q. What line do you run on?—A. On the Michigan Central, east of St. Thomas.

Q. Any accidents on that line within the last few months?—A. Not to my knowledge.

Q. You have better engines than you used to have?—A. Yes, sir.

Q. A good deal better?—A. Yes, sir.

Q. More money spent in improving the system?—A. Apparently so.

Q. I suppose the old adage that money makes the mare go comes in true here?—A. Yes.

Q. I suppose we can all better our condition if we have the money?—A. I think so.

Q. You work just as hard as you ever did for the money you get?—A. I do not work quite so hard as I used to.

Q. You do not require to work so hard because you have better facilities?—A. Yes, sir.

Q. Better facilities?—A. Yes, sir.

Q. Do you know about the runs on the other parts of the division?—A. Very little.

Q. You do not know much about them?—A. No, sir.

By Mr. Coburn:

Q. When you speak of better facilities do you refer to anything besides the improved power?—A. Well, that I do not know, Mr. Coburn. I do my work, that is about all I can do.

Q. Do you find any improvement in train orders and despatching?—A. The train orders—we used this Michigan Central system.

Q. You have worked west of St. Thomas since the new management?—A. Very little.

By the Commissioner:

Q. Did you know Mr. Cameron?—A. Yes, sir.

Q. How did you find him as to ability to work?—A. All right, so far as I was concerned.

Q. Qualified for his position?—A. That I could not say.

Q. So far as you knew, yourself?—A. Yes, sir, so far as I knew.

Q. Perfectly satisfactory to you and to the men generally?—A. Yes, sir, he was to me.

TREWIN A. GILBERT, called by Mr. Coburn, sworn and examined.

By Mr. Coburn:

Q. How long have you been employed by the Père Marquette?—A. About three years.

Q. And before that?—A. By the Wabash and Grand Trunk, jointly.

Q. In Canada?—A. Yes, sir.

Q. You are a Canadian?—A. Yes, sir.

Q. And your present work is what?—A. Conductor on the east end.

Q. That is east of St. Thomas?—A. Yes, sir.

Q. You heard Mr. Eberts' evidence just before you?—A. Yes, sir.

Q. Is there anything that you wish to change?—A. Nothing.

Q. You confirm what he has said?—A. Yes, sir.

ROBERT J. WARDELL, called by Mr. Coburn, sworn, examined.

By Mr. Coburn:

Q. How long have you been employed by the company?—A. A little better than four years.

Q. And before that?—A. I was working all over.

Q. Railroading?—A. Part of the time, and part of the time in the brickyard with my brother.

Q. You are a Canadian?—A. Yes, sir.

Q. And conductor on the west end at the present time?—A. Yes, sir.

Q. How long have you been working at that?—A. As conductor?

Q. Yes?—A. As a regular, since July last.

Q. You were promoted to that—A. Yes, sir.

Q. How do you find the work now, as compared with a year or eighteen months ago?—A. In what way do you mean?

Q. I mean of getting over the road?—A. We make better time and have better engines, at least our engines are in better shape; it seems we can get over the road in better time.

Q. Due at all to the better despatching?—A. To a certain extent, yes, they help us more in getting over the road.

Q. You think the despatchers help in getting over the road?—A. Yes, sir.

Q. Then, I understand, too, that your trains are made up to better advantage under the new order of things?—A. Well, take it as a rule, they are, out of here.

Q. You used to be overloaded and delayed in that way?—A. Not so much in being overloaded as it was our cars were not put together; supposing you are leaving here, you would be delayed so much at terminals. Now your trains are built up in better shape than they were, and they are easier handled.

Q. Has anything ever been said to you about making way for aliens?—A. Not to my knowledge.

Q. You have never been threatened or felt uneasy?—A. No, never felt uneasy yet.

Q. I understand it used to take anywhere from four to six hours to get through Blenheim yards?—A. It was pretty bad there sometimes, blocked up pretty well.

Q. It used to take that long sometimes?—A. It never took me that long; I have been there quite a while; Blenheim is far better than it was.

By the Commissioner:

Q. You heard what Mr. Eberts said about better class of engines than you had?—A. Yes.

Q. You agree with him?—A. Yes, sir.

Q. You heard his statement about Mr. Cameron as to trainmaster, do you agree with him?—A. Yes, sir.

Q. You were under Mr. Cameron?—A. Yes, sir.

Q. Did he perform his duty satisfactorily to the men and to the public, as far as you knew?—A. So far as I knew, yes.

Q. Then, what facilities have they given you that you did not possess before, since December 1 last?—A. I think our engines are put up in better shape than they were.

Q. Capable of doing better work than you were able to do before?—A. I think so.

Q. Is that the great advantage in getting through the country quicker?—A. Well, I could not say.

Q. What is the great advantage, then?—A. I do not know, it seems to me we can get over the road better; in fact, our engines can stand better and more usage than before.

Q. It is because of your engines being better you are able to get across the country quicker?—A. I suppose that is the reason.

Q. Is there any other reason to your knowledge?—A. Our yards are in better shape than they were at that time.

Q. How?—A. They are kept cleaner, you can get in and out better, our sidings are kept in better shape.

Q. In what way?—A. They are kept clear.

Q. That is, cars are not left remaining on the siding?—A. No, if you have a meeting, one train can take the siding and the other out, and there is not so long delay in getting by.

Q. What was the delay before?—A. The sidings were blocked.

Q. What occasioned that?—A. I cannot tell you that.

Q. Whose fault was that?—A. I would not like to say.

Q. Had they sufficient engines to work the system before?—A. Not at that time. I don't think so.

Q. Was not that the reason?—A. I would not like to say that, because that is out of my jurisdiction altogether.

By Mr. Jeffery:

Q. We heard yesterday about a better supply of water recently, they were suffering for lack of water, is that correct?—A. They seem to have a good supply of water at the present time.

Q. But they were suffering under the old management for lack of supply?—A. That is liable to happen under this management.

By the Commissioner:

Q. Any accidents on your line?—A. Not very often.

Q. Any lately within the last few months?—A. Nothing serious.

Q. No one discharged in consequence of any?—A. Not that I am aware of.

Q. Any one laid off?—A. They may have been suspended for a few days.

Q. Who?—A. I do not know, I say they may have been.

Q. You do not know who have been?—A. No.

Q. Do you know of any accident that has been on the road within the last two or three months?—A. That one at Blenheim, a broken journal, the other day.

Q. Who was that?—A. Conductor Hutchison.

Q. He was dismissed?—A. I do not know.

Q. You have not seen him since?—A. No.

Q. When was that?—A. I think it was last Wednesday, I would not be certain.

Q. That is Monday or Wednesday?—A. Somewhere along there.

Q. Do you know what the accusation against him was?—A. No, sir.

Q. Or how the brake took place?—A. All I heard was a broken journal.

Q. Not a burned-out journal?—A. I do not know, I was not there.

Q. Do you know anything about the accident on the Grand Trunk siding at London?—A. No, sir.

Q. Are not these accidents posted up in the car premises in any way?—A. Not necessarily, no.

Q. I mean as a notification or warning to the different conductors?—A. No, sir.

WILLIAM CHAMBERLAIN, called by Mr. Coburn, sworn, examined.

By Mr. Coburn:

Q. How long have you been in the employ of the company?—A. About three years.

Q. And before that where were you employed?—A. The Michigan Central.

Q. Here in Canada?—A. Yes, sir.

Q. You are a Canadian?—A. Yes, sir.

Q. You are at present conductor on the west end?—A. Yes, sir.

Q. How long have you been working at that shop?—A. Conductor since last December.

Q. That is four or five months ago?—A. Yes.

Q. Promoted to that I suppose from breaking?—A. Yes, sir.

Q. You heard the evidence of Mr. Wardell?—A. Yes, sir.

Q. And does that express your views on the subject?—A. That is all I know.

Q. You confirm what he said?—A. Yes, sir.

Q. It has not been hinted or suggested to you that you ought to make way for anybody else, have you heard anything of the sort?—A. Not that I know of.

Q. In regard to your own position or any other employee's position on the road?—A. No, sir.

By the Commissioner:

Q. Who promoted you to the position of conductor?—A. Mr. Cameron.

Q. When?—A. Last December, the early part.

Q. You had known Mr. Cameron for some years?—A. Three years.

Q. You have heard what Mr. Eberts and Mr. Wardell say about Mr. Cameron, do you corroborate their statements with reference to him?—A. He was all right to me.

Q. The great change, I understand, was what the other conductors stated, the power being improved, do you agree to that?—A. Yes, sir.

Q. That is the greatest change in the road?—A. The road has been helped too, and sidings and water tanks

Q. You were without sufficient water tanks before?—A. Yes.

Q. You knew of such matters as a brakeman better than as conductor?—A. Yes, sir.

Q. Additional sidings were put in then?—A. Yes.

Q. Since when?—A. Within the last year, since I came.

Q. That is the last twelve months or so?—A. Yes.

Q. They have been coming in by degrees?—A. Yes, sir.

Q. So that you have a better system to-day than you had any time in the history of the road?—A. Since I have been on.

Q. I suppose the reason for that is the large expenditure of money?—A. I suppose so.

Q. Did you hear about this accident to Hutchison?—A. No, sir.

Q. Did you see it?—A. No. I saw it afterwards.

Q. What was the trouble?—A. A broken journal, I believe.

Q. Did you see it?—A. No, sir.

Q. You did not know Hutchison was dismissed in consequence of that?—A. I heard this morning he had been dismissed.

Q. And the brakeman, too?—A. One brakeman, I believe.

Q. Do you know whether they were at fault in connection with the broken journal?—A. I could not say, I never saw it.

Q. Is that liable to happen at any time?—A. Yes, sir.

Q. And a conductor——?—A. You cannot always tell when a journal would break.

Q. He would not be responsible for breaking a journal?—A. I cannot see why he would.

Q. You think it would be pretty hard for a conductor to be dismissed if a journal breaks?—A. Yes.

Q. You would not like that yourself.

By Mr. Coburn :

Q. There have been no new water-tanks put up at all on the west end?—A. This last year I said they have been coming along, I could not say exactly when.

The COMMISSIONER.—Within the last twelve months.

Mr. COBURN.—Not at all, there is one in course of construction, but there have been none completed ready for use.

Q. Where has any tank been put up in the west end?—A. At New Canaan.

Q. There is no new tank at New Canaan?—A. They have put one in; I was never over till I got promoted, and that was three months. I do not know when they put it there.

Q. You heard what Mr. Wardell said about the difficulty of getting through the Blenheim yard?—A. Yes, sir.

Q. Does that correspond with your experience there?—A. Yes, sir.

Q. And very much the same trouble at Chatham?—A. Yes, sir.

Q. And that has been improved?—A. Yes, sir.

Q. Very greatly?—A. Yes, sir.

Q. No new sidings at either place in the last three years?—A. They have been extended, I think, in the last three years in Chatham; I could not say for that for sure.

Q. None at Blenheim the last three years?—A. Not that I know of.

Q. So that the improvement there must necessarily be due to improved handling?—A. Yes, sir.

By the Commissioner :

Q. New engines, particularly new engines that will go faster and get out of the way quicker, is not that it?—A. Yes, sir.

By Mr. Coburn :

Q. New engines would not help you if cars were left inconveniently placed?—A. No, sir.

Q. And sidings left blocked?—A. No, sir.

GEORGE GUBB, called by Mr. Coburn, sworn, examined.

By Mr. Coburn :

Q. How long have you worked for the Père Marquette?—A. In my seventeenth year.

Q. That is the Père Marquette and Lake Erie?—A. Yes, sir.

Q. As an engineer?—A. Yes, and fireman.

Q. And now as travelling engineer?—A. No, just engineer.

Q. On the west end?—A. I am on the London and Port Stanley at present.

Q. Do you know the west end well?—A. Yes.

Q. And have been over it in the past year?—A. Yes, sir.

Q. In the past three months?—A. Yes, sir.

Q. Are there any new engines on the west end at all?—A. No, not new engines.

Q. New engines are all running east from St. Thomas?—A. From St. Thomas east.

Q. What do you say about the improvement in handling traffic over the west end under the new management?—A. I have not been over the west end but once in two months.

Q. We will go back since December, from December on?—A. In the matter of freight do you mean, or generally?

Q. Handling traffic generally, and special freights?—A. The power is in better shape now than it was.

Q. Due to what, principally?—A. I consider better facilities for keeping it in repair.

Q. What else?—A. I do not know of anything else, except the new shop.

Q. Handling of cars at different points have anything to do with it? Despatchers have anything to do with it?—A. They have more sidings in order to get trains by better; that helps traffic over the road.

Q. What about Blenheim? Do you get through Blenheim now any better than you did before?—A. I cannot say in the matter of freight. I have not been on freight work myself, and I am not in a position to say.

Q. You are a Canadian?—A. Yes, sir.

Q. You have not been asked to make way for anybody from the other side?—A. No, sir.

Q. Nobody suggested that they were better than you?—A. They treated me all right.

By the Commissioner:

Q. You are one of the old men?—A. Yes, sir.

Q. You look very young?—A. Always lived good.

Q. You used to be road foreman of engines?—A. I was for some time.

Q. When?—A. For about three years previous to the first of this year.

Q. What was your salary as road foreman?—A. For the last year I got $100 and expenses.

Q. You are now engineer?—A. Yes, sir.

Q. Is that a better position?—A. I think it is.

Q. More money in it?—A. About the same, that is unless you work overtime.

Q. And if you work overtime you earn the extra money?—A. Yes. You get extra pay for extra work.

Q. Why were you relieved from the position of foreman of the road engines?—A. I got a letter from the master mechanic advising me that he had had instructions from the management to appoint an assistant master mechanic for the Buffalo Division, and I would be relieved of my duties of road foreman of engines, as he would have charge of the engines on the road in addition to his other duties.

Q. Who was the assistant master mechanic they appointed?—A. Mr. McManamy.

Q. That was the gentleman that Mr. Christie referred to?—A. He referred to Mr. McManamy.

Q. It was Mr. Christie who wrote you?—A. Mr. Christie wrote to me.

Q. He was master mechanic of the whole system, was he not?—A. Yes, sir, at that time.

Q. And you received your instructions from him?—A. Yes, sir.

Q. Do you remember when that letter was received by you?—A. It is some time in November, if I remember right.

Q. Dated about the 27th November?—A. It is somewhere about that. I would not be sure now.

Q. Do you think this is a copy of that letter?—A. Yes, sir, that is it.

Q. That is a copy of the letter you received:—

'WALKERVILLE, ONT., Nov. 29, 1904.

'Mr. G. GUBB, R.F. of E.,
'St. Thomas, Ont.

'DEAR SIR,—I have had orders from the management to appoint an assistant master mechanic on the Buffalo Division. He will have supervision of the engines also.

'This will relieve you of your duty as road foreman of engines some time next month, and Mr. McManamy will notify you about the time he can dispense with you as road foreman of engines, and you can arrange to pick out your run on the road.

'I thank you very much for your past services, and hope you will have success with us.

'Yours truly,
'(Signed) W. K. CHRISTIE,
'Master Mechanic.'

That is the letter?—A. Yes.

Q. And you gave up about first December?—A. First January.

Q. A month afterwards?—A. Yes.

Q. And handed over the work to Mr. McManamy?—A. Yes.

Q. Who took your place?—A. Mr. McManamy.

Q. He is not foreman of road engines?—A. There is no road foreman of engines.

Q. He takes charge of that work?—A. Yes.

Q. Do you know who actually does the work you used to do?—A. Nobody but him.

Q. What were your duties as road foreman?—A. To travel on the road from one engine to another, and see the men were doing their work economically and intelligently, and see that the engines were in proper repair, and if they were not see they were made so, and I also kept the men in their places as regarding seniority and the like of that.

Q. That was a higher position than that of an engineer?—A. It was considered a promotion.

Q. You considered it such when you obtained that position, did you not?—A. Yes, sir.

Q. Then you were reduced to engineer from that position on the first January in consequence of receiving this letter?—A. Yes.

Q. You were not dissatisfied with that?—A. I cannot say I was not.

Q. I thought, from what you said before, you were not dissatisfied?—A. I was not dissatisfied, I was perfectly satisfied with the change.

Q. You are more at home now?—A. Yes, sir.

Q. Which is your run now?—A. At the present time running betwen London and Port Stanley.

Q. Are you at home now more than you used to be?—A. Yes, I am at home every night.

Q. All night?—A. Yes, sir.

Q. You live here, in St. Thomas?—A. Yes, sir.

Q. It is the London men that are kicking up the fuss in consequence of having to remain longer here than in London?—A. What I read in the papers?

Q. That is what I refer to?—A. Yes.

Q. Have they got any reason for that?—A. I do not know that they have been making any fuss.

Q. You have not been running, as you told Mr. Coburn, on the west?—A. No, not for some time.

Q. Do you know anything about this accident at London lately?—A. I do not.

Q. You were not in it?—A. I do not know what you refer to.

Q. There was an accident at London a few days ago at the London siding of the Grand Trunk; there was a Grand Trunk car on the siding at London, opposite the Grand Trunk station, on the Grand Trunk tracks, the Père Marquette running the cars back to the Père Marquette yards, and they ran in and caused some damage——

Mr. COBURN objected to any question being asked about this accident, as he had to appear in the matter at London.

By the Commissioner:

Q. The great advantage of the present system is in consequence of the improved engines?—A. Yes, as far as I can see.

Q. And they have been improved since the new régime has taken charge?—A. Yes.

Q. They could have been improved at any time for years before, if the money was forthcoming?—A. I think so.

Q. You knew Mr. Cameron?—A. Yes, sir.

Q. You have heard what Mr. Eberts and the other gentlemen have said with reference to Mr. Cameron's abilities as trainmaster?—A. Yes.

Q. Do you corroborate their statements?—A. Yes, he always treated me well.

Q. And was a good trainmaster?—A. As far as I know.

Mr. COBURN.—Mr. Pyeatt may be able to say something in regard to some of the matters that were brought out since he was here before.

The COMMISSIONER.—I shall be glad to hear him.

JOHN SAMUEL PYEATT, recalled.

By Mr. Coburn:

Q. Unfortunately, I was not here all through the investigation, and I am not very familiar with the names of those who were alleged to have been displaced; but I would ask you, Mr. Pyeatt, in regard to Mr. Knight, to offer any explanation you think fit in regard to him?—A. Mr. Knight's services generally were not satisfactory, and I think he was so reported to me by Mr. Cain, that he admitted to him that he was not a train despatcher, a first-class train despatcher, and could not do the work that we required done on the Père Marquette to handle the amount of business we were attempting to handle, with the facilities we had for handling it. Mr. Knight makes the statement that he was paid $60, and the other three despatchers were paid the same, I believe; the salary was $65 a month, and the other three were more. Mr.

Knight was sent to Courtright as agent and operator, which he said he would like to have, and a man was paid for ten days or two weeks, perhaps a little longer, to teach him the duties of agent, because he did not understand them, he said. He was there a few days after that, and telegraphed me, asking to be relieved, because he could not do the work. He came to St. Thomas soon after that, and was given a position as operator at the London and Port Stanley passenger station——

Q. Was there any reason why he should not have been able to do the work, was there anything specially difficult about the work?—A. No, the work was very simple, a small station.

Q. It is a flag station?—A. No, it is a regular station, but the work——

Q. The passenger work is very light?—A. Yes, and the freight work light, too. He stated that his salary there was $45 a month. There are some express commissions in addition to that; I just do not know how much they amounted to, but the position, when it was given to him, was entirely satisfactory, so I understood, and considered to be as heavy as he could do, and he admitted, after he tried it, he could not do it. He resigned the first day from the London and Port Stanley passenger station, where he was placed as an operator.

Q. Was there any reason for dissatisfaction with him except as to his capacity for a position?—A. None whatever.

Q. Did you know as a matter of fact what his nationality was?—A. I had no idea.

Q. And did not ask?—A. No.

Q. Anything of that sort enter into your policy in employing him?—A. No, sir.

Q. Then can you speak as to Mr. Kirpatrick, or will Mr. Cain speak as to that?—A. Mr. Cain is more familiar with the work of the despatchers than I am, because he is in closer contact with them. I knew in a general way the complaints against them all the time, because I knew the work was not satisfactory and we had plenty of cases to show it was not.

Q. What was the chief cause of dissatisfaction?—A. It was their inability to figure ahead and make meeting points without delays and to properly handle trains.

Q. They were delaying trains constantly for longer periods than was necessary?—A. Yes, sir.

Q. Do you know anything about the hours of the present chief despatcher?—A. They are continuous as long as he considers it is necessary for him to remain on duty, he has worked a good many nights all night, not only during the snow blockade, but before and since, and especially when he first came here; I think he averaged 16 hours a day, and perhaps longer; a good many days much longer, and understood that it was his duty.

Mr. Coburn (to the Commissioner):—I have not any other questions to ask. If there is anything you have that you think Mr. Pyeatt can explain or should explain I should be very glad if you would ask him.

By the Commissioner:

Q. You were not in as good a position to know Mr. Knight's abilities and capabilities as Mr. Arnum, I suppose?—A. Well, I was not quite as close to Mr. Knight, I knew a great deal about the work of despatchers.

Q. Are you a despatcher yourself?—A. No, sir.

Q. Never operated?—A. No, sir.

Q. So that so far as the actual practical work was concerned you were not as well acquainted with it as Mr. Arnum or Mr. Knight?—A. I think I am.

Q. Is not that a pretty strong assumption?—A. That may be a rather conceited view of it, but I hope not; I believe I understand the duties of despatcher.

Q. Although you have never acted as such?—A. No, sir.

Q. You understand the duties of despatcher as well as Mr. Arnum or Mr. Knight?—A. I hope I do.

By Mr. Coburn:

Q. You judge by results?—A. No, you judge despatching by their order and the movement of trains.

By the Commissioner:

Q. You have heard what Mr. Arnum stated in the witness box as to no complaints having been made against Mr. Knight's work until you came?—A. Yes, sir.

Q. Was not he in a position to state that?—A. He was in a position to have discovered it.

Q. And to be able to state it honestly if it was so?—A. According to his judgment, yes.

Q. Is he not capable of forming a judgment of that nature?—A. There is a difference in our opinions. Mr. Arnum might think I was not capable of judging; if that is his opinion I consider he is not.

Q. You think Mr. Arnum is not capable of judging as to the qualifications of a despatcher?—A. I think he ought to be.

Q. Is he or is he not, not what he ought to be?—A. I think that is a fair sample that he is not.

Q. Do you think he is not capable of judging?—A. Yes, sir.

Q. Although he has been in that service for a number of years?—A. Yes, sir.

Q. Have you intimated that to him, that he is not a capable despatcher?—A. That Mr. Arnum is not a capable despatcher?

Q. Yes?—A. I think he is a capable despatcher.

Q. Is he not capable of judging what a capable despatcher is?—A. I do not think he is, if he considers those two gentlemen capable despatchers.

Q. From your standpoint?—A. Yes, sir.

Q. And yet you know nothing of it practically?—A. I think I do.

Q. Never operated?—A. Not with my hands.

Q. Your mind always operates, not your hands?—A. I endeavour to work with my mind.

Q. Still, I suppose an operator would not do very much good for the Père Marquette if he only operates with his mind?—A. No, we have men who operate with their hands and others who operate with their minds, and some use both.

Q. And these men operated with their hands and minds combined?—A. Yes, apparently more by their hands than by their minds.

Q. Why do you say so?—A. Because the work was not satisfactory.

Q. Mr. Arnum's work was not satisfactory?—A. No, sir, his work as a train despatcher is satisfactory.

Q. Not as chief despatcher?—A. Mr. Arnum was chief despatcher a very short time, not long enough for me to judge very well as to what he would have done.

Q. Mr. Pyeatt, you are judging and stating he is not qualified as a chief despatcher, that is what you are stating?—A. I speak from what he says of two despatchers.

Q. That is his knowledge of their work, as against your knowledge without any practical experience. What percentage do you pay to London for the Port Stanley division, or do you pay any?

Mr. Coburn.—We have a written lease on a sliding scale.

By the Commissioner:

Q. Has the company paid any percentage of late years?—A. Yes, sir.

Q. Has it been as high since you took possession as it was formerly?—A. I have not noticed.

Q. Could you ascertain that?—A. I can.

Mr. Coburn.—Your Honour has not seen this mornings paper. The London paper has it all in.

Q. After you took possession you, I suppose, requested better facilities than what the former superintendent had, and better rolling stock, from the management?—A. I recommended some additional side-tracks, which were put in, that I considered necessary.

Q. And also new engines, you made that recommendation?—A. That is a sort of a chronic recommendation of a superintendent, to recommend new engines.

Q. You are not in a position to use that word yet; you are not a chronic superintendent, you are only superintendent since December?—A. I asked for no new engines.

Q. What did you ask for with reference to the running facilities of the road, can you tell me?—A. In a short time after I came here, I asked for two or three additional engines from the other side; they were not new engines.

Q. No new engines?—A. No, sir.

Q. Mr. McManamy was requested to get them?—A. I made application to the general superintendent for the new engines.

Q. And you have obtained six new engines since then?—A. Yes, sir, we have received six new engines very lately.

Q. This is within the last few months?—A. Within the last forty days.

Q. And you received other engines previous to that?—A. We received two engines at first, and two a little later for a short period.

Q. You have returned some of these?—A. All of them, soon after we got them.

Q. Soon after you got them, you got your others into a condition to do the work properly?—A. Yes, sir, and the railroad in a condition to handle the engines over.

Q. And the work was done more expeditiously in consequence of that?—A. In consequence of the improved condition of the engines and cleaning up of the division, taking cars off side-tracks, and having a systematic way of leaving cars at terminal points, where they may be got out by trains running in different directions, so that they would not have to switch for several hours at one point to get their train as they passed through.

Q. You were better enabled to do that in consequence of these engines?—A. Not at all.

Q. I thought the better the engine, the better the work?—A. Always, but they do not help you arrange your yard.

Q. If you have an engine that can take the cars out of the yard quicker, surely that would help?—A. That has nothing to do, I believe, with the arrangement of the yard, the business of the yard.

Q. Do you understand that yourself?—A. The arrangement of the yards?

Q. Yes?—A. I think so.

Q. Do you leave that to Mr. Cain?—A. Mr. Cain has direct supervision over the yards.

Mr. COBURN.—There is a statement here, in this paper, as to the earnings. (Hands London newspaper to the Commissioner.)

By the Commissioner:

Q. Have you made up a statement since you came to take charge—— A. Showing the earnings and percentage?

Q. Yes?—A. No, sir; I would have to get that from our accounting department; if it is published there, I dare say it is correct.

Q. Where would you have to get it?—A. From Cincinnati.

By Mr. Jeffery:

Q. This is the one the city auditor went through?—A. That was done very recently at the request of my office to audit the accounts, and that is the result of it, I am sure; I did not know it had been published.

By the Commissioner :

Q. You are doing more of a through line work than formerly ?—A. More since July, they made a through line since July, 1904.

Q. And the business has increased in consequence of that?—A. Yes, sir, in December we were handling about 700 cars a day. We are handling now from 1,000 to 1,200 a day on the same track.

Q. That is almost double since the 1st December last?—A. Yes.

Q. Is that in consequence of the larger trade in connection with other lines in the States?—A. No, sir, in consequence of our ability to handle, it was diverted around the Buffalo division by Toledo and other points; it was given to other railroads because it could not be handled.

Q. By your railroad?—A. Yes.

Q. And since then it has come through your way?—A. A larger amount.

Q. And a larger amount has been made?—A. Yes.

Q. Because a through line has been made, a larger business has been carried on?—A. The through line was in existence in July last, as I say.

Q. That is since the through line has been made the business has almost doubled?—A. Yes, sir, more than that, I think; I do not know what it was before, but I should imagine it was that.

Q. At least doubled at any rate?—A. Yes, I think that is a very low estimate.

EVERETT E. CAIN, recalled by Mr. Coburn.

By Mr. Coburn :

Q. What have you to say in regard to Mr. Knight?—A. Well, I had a great deal of complaint about Mr. Knight's work in general. He was not a despatcher; he delayed trains in making his meeting point, and I finally called him into my office and told him that I did not consider him a train despatcher, and while I did not want to do him an injustice, I would like to take care of him in some way. He said, 'Mr. Cain, I realize I am not a despatcher, and never have been, but I have been getting along the best I could.' I said, 'I do not doubt that.' I said, 'I would like to take care of you, but we cannot keep up with that kind of despatcher. If I could not handle my job I would not hold it.' I said, 'You, no doubt, could hold a station,' and I said, 'that is as good a position; you are getting $65, and you can get $65 out on the line. Now, you are labouring under difficulties; you do not know what you are doing, you are just guessing at it.' He said, 'Well, he would be glad to take a station.' I told him I would try and find out what we could do with him, and would do the best we could in that line, and when we were wanting a man at Courtright I arranged to send him there, and thought he would be well pleased, and that he should appreciate that we were trying to take care of him; no discrimination at all, and when I heard he could not handle Courtright then I was not surprised he could not handle a job as train despatcher, because an operator that could not handle Courtright station after he had somebody to teach him ten days or two weeks could not handle any position, not capably.

Q. Do you know anything as a matter of fact about his nationality?—A. No. I never knew anything about it, in fact I did not know the nationality of any of the men in the office outside of Mr. Pyeatt and myself.

Q. Did you ask any of them?—A. Never thought of it.

By the Commissioner:

Q. Do not overlook Gilhula?—A. Oh, Gilhula, I really thought Gilhula was an American till he talked about it over here, and all the time I knew of Gilhula in St. Louis I never knew he was a Canadian. We do not pay any attention to that point over there.

Q. What about Mr. Kirkpatrick?—A. Mr. Kirkpatrick was a young fellow. I took quite an interest in him when I came here, and I would continually talk to him

about various things in handling trains, called him in my office several times, and told him I would like to make a train despatcher out of him, but I did not think he understood his business very well, but I wanted to see him get along—told him, told Mr. Black (Mr. Black is still in our employ). I also called him in several times along about the same time, and told him we had nobody to bring here as despatchers, that they did not need to be afraid at all, to go right along and work like they had been before we came here, and that we wanted them to get along; and I had several of these talks with Mr. Kirkpatrick, and he always seemed to take them very graciously, and said he appreciated, and was going to do his best. I was going up the line along about some time in February, I guess it was; we had had an engine off the track in the derail at Chatham; it had been off the track there for something like 15 to 16 hours, and had the main line blocked, and our freight trains had been badly delayed. I got on engine 199 with 45 or 46 cars going to Sarnia. Mr. W. O'Lome was conductor—we were on the engine coming into Wallaceburg, and we had about twenty minutes I presume to make the next station for the passenger train. I said, 'O'Lome, you get off and tell the despatcher that I said give us whole main track order at Clancy,' that is the meeting point. It was a very stormy night, we could not see very far ahead and the wind was blowing. So we pulled right on to the tank. I said, 'O'Lome, you be watching for your signals, and we won't delay the passenger train except for five or ten minutes.' We pulled up to the tank. I came over to the engine, and he said he had an order which says 'Meet number 14 engine—I forget the number—at Clancy.' I says, 'Well, why did not he give us the main line? It would save time?' He said, 'I do not know, I asked him for it.' I did not say anything more about that, and we pulled over to Clancy, and we could not see very far ahead, and we stopped some distance from the switch because we were afraid to pull up by the switch, and really a little afraid they would pull in. We could see the head-light up there, but we could not tell whether it was on the main line or side track, and the brakeman went up and said the passenger train was coming up the side track, something unusual if they had an order to meet us there, something unusual, because they had the right track, and it would have been a very good meeting point, and it would have delayed neither train if the order had been given like I said, giving us right to the north switch instead of the south switch. I came in, I did not get in here for two or three days, and I called Mr. Kirkpatrick to my office and told him to bring his train order book in. He came in with it. I says, 'Look back at such and such a date, I want to see your order.' He looked at the book. He says, 'Mr. Cain, I have changed books since that, and the other book is out there.' I said, 'That is all right, I will take your word Kirk; what kind of an order did you give number 14 with engine 199 when we were going north the night of this accident?' He said, 'I gave order to meet 199 there.' 'You did not give them an order to take siding?' 'No.' 'Why did you not?' He said, 'I did not know you wanted me to.' I said, 'Did not the operator at Wallaceburg tell you I said to give us whole main track order?' He said, 'No.' I said, 'It is all right then. I do not blame you at all.' I thought then it was a little strange, but I took his word for it. I was on this passenger train with Conductor Pearce three or four days afterwards and I asked him, 'How was it you took siding at Clancy the night engine 199 had an order to meet you there?' He reached down in his pocket and said, 'I have an order to take sidings.' He pulled out an order which said, 'Take siding, and meet engine extra north 199 at Clancy.' I knew then Mr. Kirkpatrick was lying to me. I did not mind him being a poor despatcher, but when a man cannot tell you the truth you had better get rid of him. A despatcher is really an official of the company, and his work would be reliable. I did not say anything to Kirkpatrick about it, I had not time, and I was figuring relieving him, but I guess he must have found out I heard about it and he resigned. Why he has a grievance I cannot say. He resigned, and of course they possibly thought they could make some capital out of it, on account of the way things have been lately.

By Mr. Coburn:

Q. If he had not resigned you would have dismissed him?—A. Yes, I would have discharged him for making a false statement, which is customary on railroads.

Q. In regard to the traffic getting over the road, I understand, a year ago it used to take very much longer than it does now?—A. I think there is no doubt about it, in first place we had a great deal of trouble at Chatham and Blenheim, and I think any of our train men running west out of here will tell you the same thing.

Q. I was going to ask you if the power was responsible for that?—A. No, the power could not have affected Blenheim or Chatham whatever, it was the condition of the yard and the manner they had in setting out and picking up cars. When they set out their cars there was no distinction made as to whether it was Blenheim proper, or north-west, east or south, the first track they would get to they would slam it in on, and have all conditions of cars.

Q. And some official of the company would be responsible for that?—A. Yes, I have seen trains delayed there ten hours picking up a train of 25 or 30 cars. They had cars in the gravel pit a couple of miles above town, and Blenheim west had three tracks, and down town they had three tracks; the conditions there were as bad as they could have been. They had a passing track there that has not been blocked since, and that was always blocked before. You heard what those conductors said about being delayed meeting trains on account of having tracks filled. I left instructions there that this track should not be blocked under any circumstances, put up a bulletin to that effect, and also that cars for the east would be set out on the scale track at Blenheim, and nothing else should be set out on that track. Cars for the north on the dock track, and cars for the west on the Blenheim west track, or something in that line, a track for each direction. I do not think we have had a train that has been delayed there since that time more than two hours no matter how many cars they had to pick up. Before it was hard to get them through under four or five hours, and it was a bad place for trains to meet, and a very important station, a junction point. That also applies to Chatham. Chatham was a point that had a number of side-tracks, that there was no understood rule at all about where they would leave their cars. We had a switching engine there, and still they did not have their cars switched together. If a train would come in there to pick up ten or fifteen cars for the north they would have to switch them. Now I think they find them all switched together. I think most of our trainmen can tell you that. That accounts for the delay and the congested condition when we came here; and Walkerville it applies the same way. There was no rule there about the way things should be switched. In fact it applies to every point on the line if it is a point where trains reduce and pick up, and so forth. It is a very important point on any railroad.

Q. I understand bad order cars were left indefinitely on passing tracks?—A. Any where.

Q. Frequently on passing tracks?—A. Yes, sir.

Q. So that if a train came there with passing orders they had to get it passed first?—A. Possibly chain the car up to handle it.

Q. These are now reported by the despatchers; there is a bulletin issued?—A. What is that?

Q. In regard to passing tracks blocked?—A. When a passing track is blocked, the despatcher is supposed to notify all trains as to that, especially if it is a bad order car there should be an order put out for it.

Q. Were any instructions, verbal or otherwise, ever given to your knowledge in regard to the employment of aliens or Canadians, or discrimination between one and the other?—A. No, I employ all the men myself, that is all the train men, I recommend them.

The COMMISSIONER.—He answered that yesterday.—A. Yes, there is no distinction, they all look alike.

The COMMISSIONER.—That is if they are white.

Q. You were speaking about the congested state of affairs at the time you came here?—A. Yes, sir.

Q. You knew nothing about it previous to that?—A. No, I found it bad enough without going back.

Q. You do not know how the state of affairs existed prior to that?—A. No, sir, only what I have heard the trainmen say; I had quite a number of them—whether they were jollying me or not I cannot say—come to me and say they were making their money much easier than before, it was quite a different railway.

Q. You are speaking from two or three weeks after you came here?—A. It took us possibly three or four weeks to get straightened out, but we finally got everything so that we could get over the road.

Q. You have heard what the conductors say, the great reason for the improvement was in these engines that they get?—A. We had no new engines at all.

Q. But you have had better engines since?—A. It was a long while before the engines were much better; one thing I understand was that our trains were badly overloaded.

Q. You heard what Mr. Pyeatt stated, that he got two or three engines from the other side immediately?—A. Not new engines, but in the statements which you got from the conductors you said new engines; they were not new engines.

Q. They were new engines to them. I suppose they might take it in that way; they were better engines than they had been accustomed to. Is not that the case?

Q. Were not they better engines than they were accustomed to?—A. What they mean by that——

Q. Were not they better than they were accustomed to have?—A. Those four engines were loaned for possibly a month or so and they were returned at a time when we needed them pretty bad, when they got in bad shape and we were forced to return them. What they meant by the new engines were engines that were being turned out with a lot of black paint on them.

Q. Were not these engines they got from Saginaw better than they had been using up to that time?—A. We had some engines here as good as them.

Q. Were not these engines better than they had been accustomed to using before that?—A. I say no.

Q. Then you heard what they stated that they were better engines?—A. They might have been in better condition.

Q. And would be better for power purposes?—A. No, we have some engines that were really larger.

Q. Do you wish to say that these men were stating what is not correct?—A. I think they were a little misled by the question you asked about new engines. That is the only point I am making.

Q. What they said was they were better engines and better power for the purpose for which they were used?—A. That can be taken several ways. We have two engines that were here at the time that we borrowed that are a larger class of engines, handling more cars than those engines you refer to; that is what I am trying to tell you, but they were really not better engines.

Q. These conductors say they were better engines; they are good men?—A. Yes.

Q. As good as Americans?—A. I do not make any distinction like you.

Q. Do not answer that way. As good as Americans?—A. Yes.

Q. You have had experience with both?—A. Yes, I never knew the difference; in fact they all seem like Americans to me; they all look alike and talk alike.

Q. They are equal to the Americans as conductors and engineers?—A. Yes; we have not brought Americans to take their place.

Q. You brought Gary; you state very plainly all these talks with Kirkpatrick and Knight, but you forgot to state you brought Gary?—A. Yes, we needed a despatcher pretty bad, and Gary was very much better than either of those men.

Q. Could you not get any one in Canada?—A. I could not at that time.

Q. Did you not try?—A. Yes, asked the Michigan Central people if they had a man to let us have.

Q. Americans?—A. I do not think they have any Americans over there. I don't know of any.

Q. Do you know any at all?—A. Yes.

Q. Any Canadians?—A. I do not know; I did not ask.

Q. You did not advertise for a despatcher?—A. No.

Q. Let us see about this question of the dismissal of Mr. Hutchison, the conductor; you dismissed him, I understand?—A. Yes, sir.

Q. When was that?—A. I think it was the day before yesterday.

Q. Monday?—A Yes, sir

Q. And the brakeman, too?—A. Yes.

Q. Two brakemen?—A. One brakeman.

Q. One brakeman was dismissed and one suspended?—A. Yes, sir.

Q. On what ground did you dismiss them?—A. For good cause. Do we have to investigate this case here?

Q. Is there any objection to your doing so?—A. Yes, sir, I think there is. I do not want to be disrespectful at all and I am trying to answer all your questions, but I think that is a bad piece of discipline to bring——

Mr. COBURN.—I might suggest this question: Where they dismissed because they were Canadians and to make way——

The COMMISSIONER.—No, let me ask it in the way I wish.

Mr. COBURN.—Then I think it is outside the investigation.

The COMMISSIONER.—I do not think it is outside the investigation if they were dismissed on one ground when the other ground would not enable them to dismiss them.

Q. They were dismissed because of an accident. I am not going into it so as to injure your case?—A. The only thing is I do not like to bring this up——

Q. You are not in court about it?—A. That is what I want to know.

Q. No one has sued you in connection with it?—A. No.

Q. And no one is likely to sue you in connection with it?—A. I do not think so.

Q. What was the ground you dismissed them upon?—A. For a burnt-journal; any road in the country will dismiss them for the same thing.

Q. Was it a burnt-journal?—A. No doubt on earth about it.

Q. Was it not a broken journal?—A. No, sir, it was a burnt journal.

Q. You heard what two men said they heard?—A. Yes.

Q. Was it a burnt journal or a broken journal?—A. A burnt journal.

Q. Who would know about that?—A. Mr. McManamy would be as good a judge as anybody; he is here.

Q. Who investigated it?—A. I did.

Q. Who else besides you?—A. No one besides me.

Q. Did Mr. McManamy?—A. Mr. McManamy helped pick up the wreck, but I investigated the accident. It was my duty to do that.

Q. And if it was a broken journal the dismissal would have been improper?—A. I would not have dismissed them if it was a broken journal.

Q. You heard what Mr. Arnum stated with reference to Mr. Knight and Mr. Kirkpatrick's manner in which they performed their duties?—A. Yes, sir.

Q. Entirely to his satisfaction?—A. Yes, sir.

Q. Have you anything to say as to that?—A. I think I have said enough about those young men to show what I thought about them.

Q. Have you anything to say as to what Mr. Arnum said?—A. Mr. Arnum could not be judged as chief despatcher; he had worked temporarily as chief despatcher when everything was bad, and I understood that he wanted to get out of it as quick as he could. There was no reason why Mr. Arnum should get up here and say they were not good despatchers. If I had been in his position possibly I would have said the same thing, that is as far as he was concerned.

Q. I do not know how you would have said the same thing unless it was true; now you wish to say Mr. Arnum was not telling what was true?—A. No, he might have said so.

Q. Had not he the experience to state so?—A. He might be a good despatcher and not able to judge who else was.

Q. He had experience with these two men for some years?—A. No.

Q. For a long time?—A. No.

Q. How long was Knight there?—A. Knight did not work there as despatcher very long; I do not know.

Q. How long was Kirkpatrick there?—A. Six or eight months as despatcher.

Q. You had the experience of a week or two?—A. They were not very much of despatchers there to be train despatchers, the way they were handling despatching.

Q. He had the experience with these men during all that time and there were no complaints whatever made against their work?—A. There was as soon as we found their work——

Q. As soon as you came you complained against their work?—A. Yes.

Q. And you have explained why you dismissed them?—A. Yes.

Q. I will have to investigate that, because you have given hearsay evidence about what some man told you about the despatch, the order?—A. He gave me the copy of the order.

Q. Was Mr. Arnum not in a good position to state exactly the qualifications of these two men?—A. If he had been in the position of chief despatcher longer he possibly would have been, but he was new; he had just taken it over.

Q. How long did he act?—A. He only acted something like two weeks. It was new to him and he was so busy he had no time to pay attention to what his despatchers were doing, and everything was bad, and I am not finding fault with Mr. Arnum, but people have different opinions and I am positive in what I have told you, that neither Mr. Knight or Mr. Kirkpatrick were train despatchers.

Q. They have acted for a number of months as such?—A. But the Sarnia division they worked was more of a job as telegraph operator; it is only 66 miles and very few trains.

Q. You understand Mr. Knight worked the whole system all night after midnight?—A. I never knew he was on that.

Q. Youdid not know exactly what he was capable of doing?—A. Yes, I could see very clearly.

Q. Mr. Arnum——A. I think I know more about judging men of that class than Mr. Arnum does.

Q. And it was because of your knowledge of judging men——A. I am a practical train despatcher and worked a good many years on various roads, and I was always considered a good train despatcher, and I do not think these men were good train despatchers, and Mr. Arnum said there was no objection to their work and considered them good train despatchers, and I think he is evidently not capable of judging them.

JOHN MCMANAMY, re-called:

By the Commissioner:

Q. You remember about this accident which occurred for which Mr. Hutchison and a couple of brakemen were dealt with?—A. Yes, sir.

Q. What was the trouble about the journal?—A. The journal was broken on account of it being extremely hot. I have the journal, or have the wheel and the axle and the piece where it was broken off at the Père Marquette shop, and it will speak very plainly for itself. In railroad circles it was what we call a burnt-off journal. Well, there never was such a thing existed as a burnt-off journal. They get extremely hot and break from the fact of being hot.

Q. This really was a broken journal?—A. It was a broken journal caused from being extremely hot and cutting. The metal on the outside of the journal was hot.

Q. What caused the over-heating?—A. In the first place getting dry.

Q. Whose duty is it to look after the journal?—A. It is the conductor's; his duty on the road. After the train leaves the terminal it is the conductor's duty to see the train goes through safe and to look after the journals on the road.

Q. Is that a portion of the duty of every conductor?—A. Yes, sir, and every conductor is aware of it, that it is a portion of his duty to look after the journals after he leaves the terminal point, and a hot journal he knows he is responsible for it.

Q. How long would it be before he knew after it became hot?—A. I should judge the journal had been smoking and probably on fire for 10 or 12 or 15 miles.

Q. Where would it have commenced to smoke before it burnt it?—A. It would commence to smoke and the smoke would be plainly seen from the rear end of the train, and the smoke and smell could plainly be distinguished from the rear end of the train.

Q. Could that have taken place before leaving the station?—A. It could have taken place between stopping places, but there is positive proof they knew the journal was hot.

Q. How did they know the journal was hot?—A. As I understand it the brakeman borrowed an oil can and endeavoured to oil this particular box, and instead of stopping as he should have done he oiled it going along the road; so that he knew it was hot.

Q. How soon did they know it was hot after it became hot?—A. They would have sufficient time to stop and cool it; it would take a journal at least thirty minutes after it got hot before it could get heated to the extent it was when it was broken off. I saw the journal and I saw the box, and I have the axle at the shop. On top of the journal there is the journal brass or bearing, and on top of that brass there is a cast-iron wedge and this wedge had been red-hot. I saw the wedge when I picked up the wreck. The wedge itself had been red-hot, not only the journal and brass, but the wedge, and that wedge showed colour just the same as it would after being taken out of a blacksmith's fire.

Q. You do not know to what extent the brakeman did oil the journal?—A. No, because I was not present at the time, but that I understand was given in evidence, that he borrowed the oil can of the engineer to go back and oil the journal instead of stopping.

Q. Were they running at the time?—A. Yes, by getting down at the side of a car he could look at the journal and he could get the oil can in the box, and he could oil the box by getting on the end of the car.

Q. Your belief is it was burnt off in consequence of the neglect of the conductor to examine it before starting?—A. Yes, sir, there is no question about that.

Q. That is the reason he was dismissed from your employment?—A. Yes, sir.

Q. How many conductors are there on the Buffalo division?—A. I do not know.

Q. How many engineers are there?—A. In the neighborhood of sixty.

Q. How many firemen?—A. About the same amount.

Q. How many conductors are there, Mr. Cain?

Mr. CAIN.—About 30 or 35 conductors and about 100 brakemen.

Mr. Pyeatt stated that Mr. Gilhula's son was only engaged temporarily for about a week and is not now in the service.

The COMMISSIONER.—I desire to examine Mr. Cameron and Mr. Kirkpatrick, and possibly Mr. Knechtel, in Toronto; would next Monday answer your purpose to attend?

Mr. COBURN.—I am afraid I cannot count on any time next week.

The COMMISSIONER.—I suppose your agent could attend in Toronto?

Mr. COBURN.—Yes, I could arrange that. It is a little difficult to know how to instruct an agent without knowing what is coming up.

The COMMISSIONER.—I desire to examine Mr. Kirkpatrick, Mr. Knechtel and Mr. Cameron.

Mr. COBURN.—Mr. Knechtel never was here.

The COMMISSIONER.—After I examine Mr. Woollatt in the morning perhaps I will not require to call Mr. Knechtel.

Adjourned at 4.30 p.m. to 10 a.m. to-morrow morning.

Commission resumed at 10 a.m., April 27, 1905, at the Court House, St. Thomas.

PRESENT :

HIS HONOUR JUDGE WINCHESTER, Commissioner.

A. O. JEFFERY, K.C., for Dominion Government.

(Mr. Coburn was not present.)

WILLIAM WOOLATT, sworn, examined :

By the Commissioner :

Q. I understand you were general manager of the Lake Erie and Detroit River Railway for a number of years ?—A. Yes, sir.

Q. Were you general manager from the beginning of the organization of that railway ?—A. No, sir.

Q. For how many years ?—A. I came to the road in 1889; I was traffic manager and general superintendent.

Q. General superintendent of the road ?—A. Yes.

Q. From 1889 to when ?—A. 1900.

Q. Then you became what ?—A. General manager.

Q. Prior to that, what had you been doing ?—A. With the Northern and North-Western Railway and the Grand Trunk Railway for seventeen years.

Q. What position did you occupy with the Northern ?—A. Clerk, and general clerk in the different departments, audit department and traffic department.

Q. So that you had been a railroad man for a long time ?—A. Nearly thirty-three years.

Q. What roads or lines had you charge of when you were general manager ?—A. The Lake Erie and Detroit River Railway system, which comprised the Erie and Huron and London and Port Stanley.

Q. That is just the same system that we understand under the name of Buffalo division of the Père Marquette railroad ?—A. Yes, sir, except since July of 1903 there has been added to the Buffalo division supervision of the running of trains from St. Thomas to the Niagara frontier.

Q. From St. Thomas east ?—A. Yes, sir.

Q. During that time who was your train master in charge of that system ?—A. K. R. Cameron.

Q. For how many years ?—A. For about five and a half years.

Q. Who were your despatchers ?—A. Fred. Arnum, Black and Kirkpatrick, with Knight as relieving despatcher.

Q. Who was your master mechanic ?—A. Stewart Austin until July, 1902, I think, or thereabouts.

Q. And then who succeeded him ?—A. W. K. Christie. Along in 1902, or early in 1903, the supervision of the officers of the Père Marquette Railway was extended over the Buffalo division.

Q. Then who was the civil engineer in charge ?—A. Owen MacKay.

Q. Who was the storekeeper ?—A. Knechtel.

Q. Had you any district passenger agent ?—A. No, sir; it was done under the general freight and passenger agent, Mr. Thomas Marshall.

Q. At London ?—A. He was at Walkerville at that time.

Q. Had you any London office ?—A. Just the general agent's office for freight and passenger work, the supervision of crews and so on.

Q. There was no district passenger agent at that time ?—A. No.

Q. Who was your round-house foreman ?—A. That was under Austin, as mechanical superintendent. I have forgotten the name of the foreman under him.

Q. At least how many years were these respective officials under you ?—A. The mechanical superintendent would have been eight or ten years, and the chief engineer was assistant engineer when I came on to the road in 1889.

Q. And continued so until when ?—A. The death of the chief engineer, till he was promoted.

Q. And Mr. Cameron five years or so ?—A. Five and a half years as train master, and prior to that he had been some six or seven years as stenographer and despatcher. He had been with the company some twelve years.

Q. And the storekeeper, Mr. Knechtel ?—A. He had been with the company some five or six years, I think.

Q. What were the qualifications of these different officials for their respective offices ?—A. I consider them perfectly competent.

Q. Had you any complaints against their abilities or qualifications ?—A. No, sir.

Q. Were you satisfied with their qualifications ?—A. Quite so.

Q. And the manner in which they performed their duties ?—A. Quite so.

Q. No fault whatever to find with them ?—A. No, sir.

Q. Did the public complain at all of the performance of their duties ?—A. I think not, not to my knowledge.

Q. You think the public was perfectly satisfied ?—A. Yes, so far as I know.

Q. When was it that the Père Marquette took charge of the old system ?—A. In January of 1902.

Q. What condition was the road in at that time ?—A. The physical condition ?

Q. Yes ?—A. In very good condition.

Q. Sufficient power ?—A. To handle its local business.

Q. Had you a through business ?—A. Not at that time, the through business about January 20, 1902.

Q. That was after the Père Marquette took possession ?—A. Yes, sir.

Q. It was said here the other day that when Mr. Pyeatt took charge he found the power in very, very bad condition and the system generally run down; what do you say to that ?—A. I think Mr. Pyeatt would be perfectly correct with reference to the power being in bad condition, because we had not shops sufficient to take care of the power, and we had more business than the power or facilities we had would accommodate, but so far as the general condition of the railroad, I do not think there was any——

Q. Mr. Cain stated that when he took charge the yards were congested and the trains were running in a very poor manner, what is the cause of that ?—A. If there was such a congested condition it would be due to the lack of power to move the business.

Q. You think it is entirely a lack of power ?—A. There is no question about that.

Q. What was the cause of lack of power ?—A. The poor condition of the engines and the lack of facilities to get them in proper condition.

Q. Who was to blame for that ?—A. The lack of facilities for the shops, of not having sufficient shop room.

Q. Who is responsible for the facilities ?—A. The whole trouble was the through business was put on to us to handle before we had proper facilities for the handling of it. I think that condition existed on the entire Père Marquette system, as much on the other side as on this, for when I asked for power to move the business the

general superintendent informed me that they were just about as hard up for power on the other side as they were on this.

Q. And you did everything you could in order to get the power ?—A. Yes, sir.

Q. Did you apply more than once ?—A. Yes, frequently, and for sidings, passing tracks, as far back as, well, early in 1902.

Q. And continuously up to the time you left the service ?—A. Yes, sir, went over the road with the former general superintendent, Mr. A. M. Smith, laying out where the sidings should be, but they were not forthcoming.

Q. What was the reason for that ?—A. I don't know, that would be with the management.

Q. You had no control over that ?—A. No, I could not spend money till they gave it to me to spend.

Q. Did they continue all the old officials on after they had taken charge, the Père Marquette?—A. Yes, sir.

Q. For how long?—A. The general order of the exercise of the jurisdiction of the Père Marquette officials over this division——

Q. We may call it the Buffalo division ?—A. Yes, came into effect, my memory is, early in 1903, because it was on March 1—yes, it was March 1 that that order went into effect; my title was changed to superintendent of this division.

Q. At the same salary ?—A. Yes.

Q. All the old officials continued at the same salaries they had been receiving from the former road ?—A. Yes, sir.

Q. No increase made during your time ?—A. Occasionally here and there, but no general increase.

Q. So that I may say that all the old officials were continued on until they left the service at the salaries they had been receiving from the Lake Erie & Detroit River Company ?—A. Yes, sir.

Q. Were there any complaints to you about the manner in which the service was being carried on by the management?—A. No, sir, except that because of the lack of power we would be asked why we did not move certain business.

Q. Your answer was forthcoming?—A. That we required the power to move it.

Q. And did they not come to your assistance?—A. They could not furnish it; they had not it.

Q. I understood this want of power was a very distracting thing to yourself?—A. It was.

Q. So much so that you hardly knew which way to turn?—A. It caused my nerves to give out, and I had to resign on that account; nervous prostration.

Q. When did you begin to have such an attack from the over-work?—A. Probably about two years ago, eighteen months.

Q. Was it in consequence of the over-work and the anxiety in consequence of not being able to run the road as you wanted to run it?—A. Yes, sir: the vice-president and general manager put it in the matter of my taking the railroad to bed with me.

Q. And I suppose you did?—A. A good many nights I did not sleep because of it.

Q. When was it you put in your resignation?—A. Early in November of last year.

Q. What lead up to that?—A. The doctor's advice that I must do one of two things, either quit worrying or quit railroading.

Q. Had not the management come to your relief up to that time?—A. As far as they were able to, but not sufficiently.

Q. Not sufficiently to relieve the strain?—A. No, sir.

Q. Nor the large amount of business that was being put upon you?—A. No, sir.

Q. And that large amount of business was in consequence of the through traffic? —A. Yes, sir.

Q. You were quite able with the facilities you had to attend to the local traffic?— A. Quite so.

Q. But with their taking charge and connecting with their own traffic in the United States and making it a through traffic the facilities were not equal to the de-

mand?—A. That is it, sir. They sent over some fifteen large engines which were not sufficient to handle the through business

Q. Had you a sufficient number of employees under you to handle the business?—A. Yes, sir; that is the local business.

Q. Yes?—A. Quite so.

Q. And the through business?—A. Yes, sir.

Q. Had Mr. Cameron, the train master, a sufficient number of employees to handle his department?—A. I never heard any complaint he had not; always seemed to have sufficient men.

Q. How was it it became congested?—A. Because of the lack of power.

Q. Not a lack of employees?—A. No.

Q. Who succeeded you?—A. Mr. Pyeatt.

Q. When?—A. I think the circular appointing Mr. Pyeatt was on the 28th of November.

Q. Did you receive any notification that your services would not be required further?—A. No. I was advised by my general superintendent to take a long rest and when I was fit to come back to railroading they would have a position for me.

Q. When did he advise you to do that?—A. In November when I talked with him about my resigning.

Q. Last November?—A. Yes, sir.

Q. Did you follow his advice?—A. I have taken a good long rest.

Q. You are not applying for the position again?—A. Not just at present.

Q. You don't know what may take place in the near future?—A. No.

A. I suppose you are quite willing to take charge again if you are asked?—A. I feel my work at present is very congenial and I like it very much.

Q. Do you know what led up to Mr. Cameron's resignation?—A. No, sir, I do not.

Q. Had you anything to do with his resigning?—A. No, sir.

Q. You had no complaints against him?—A. No.

Q. Did Mr. Pyeatt consult with you with reference to the officials?—A. No, sir.

Q. Make any complaints to you with reference to them?—A. No, sir.

Q. Do you remember Mr. Bartlett?—A. Joe Bartlett, yes, sir.

Q. What was his position?—A. General foreman in the Walkerville shop.

Q. When did he leave?—A. About July or August. I think, of last year.

Q. In your time?—A. Yes, sir.

Q. Why did he leave?—A. I do not know the reason; the mechanical superintendent or master mechanic asked for his resignation.

Q. Who was the master mechanic at that time?—A. Mr. W. K. Christie, who succeeded Mr. Austin.

Q. Mr. Christie's head office was where?—A. At Saginaw.

Q. An American?—A. I do not know as to that,sir.

Q. Was Mr. Bartlett an American?—A. No, he was a Canadian.

Q. Do you know what Mr. Bartlett is doing now?—A. I do not know, sir.

Q. Who succeeded Mr. Bartlett?—A. Mr. Royce.

Q. Where from?—A. From Saginaw or Grand Rapids. I am not sure which.

Q. Where is Mr. Royce now ?—A. I do not know, sir.

Q. Do you know who succeeded Mr. Royce ?—A. No, sir.

Q. That was after you left ?—A. Yes, sir.

Q. You had a stenographer or two in your department, Miss McLean was your stenographer ?—A. Yes, sir.

Q. What satisfaction did she give to you in the performance of her duties ?—A. She was perfectly satisfactory, she was a little nervous, but with allowance for that she was satisfactory.

Q. Did you find her capable ?—. Yes, sir.

Q. Qualifications quite sufficient for the work ?—A. Yes, sir.

Q. You gave her a recommendation in fact when you left ?—A. Yes, sir.

Q. She is no longer in the employ of the Père Marquette ?—A. No, sir, I believe not.

Q. Did you come in contact with Mr. MacKay as chief engineer ?—A. Yes, sir, quite often.

Q. Were his duties performed satisfactorily ?—A. Yes, sir.

Q. He is no longer in the service ?—A. No, sir.

Q. Mr. Leseur is at present occupying that position ?—A. I believe he is.

Q. Mr. Knechtel, storehouse keeper, do you know how he performed his duties ?—A. The stores department came under the general auditor and accountant, Mr. Leslie. I am not familiar with his work.

Q. Do you know when Mr. Knechtel left the service ?—A. Along in the fall, I think, of last year, September or October.

Q. Before you left ?—A. Yes, sir.

Q. Do you know why he left ?—A. No, sir.

Q. Did you know him ?—A. Quite well.

Q. Who succeeded him, do you know—Mr. Hunker ?—A. No, sir, I cannot tell the name

Q. Where was he from ?—A. From Saginaw shop.

Q. Who appointed him ?—A. The general storekeeper, I believe, at Saginaw.

Q. Was he an American ?—A. I do not know.

Q. You do not know where he is now ?—A. No, sir.

Q. What became of Mr. Knechtel ?—A. I believe he secured a position in Berlin.

Q. Was he dismissed from office ?—A. I do not know as to his leaving, sir.

Q. What was reported to you at the time ?—A. I understood he was resigning and leaving the company's service.

Q. You do not know the reason for it ?—A. No, sir—Colon, that is the name, I could not think of it before.

Q. He did not remain very long ?—A. He was there when I left.

Q. Was Mr. Arnum the chief despatcher in your day ?—A. He was acting chief despatcher at the time I resigned.

Q. You had nothing to do with the appointment of the chief despatcher ?—A. I sanctioned the appointment, that was all.

Q. The appointments were made——.A. By the train master, subject to my approval.

Q. Was it necessary to obtain the approval of the superintendent of the system ?—A. I thought so.

Q. I mean the general superintendent, did he approve of the officials ?—A. I do not know about the general officials, but not of the chief despatcher.

Q. You had nothing to do with the others any other time ?—A. No, sir.

Q. What about different sidings on the different lines, were there a sufficient number of them to enable you to perform the work properly ?—A. No, sir.

Q. Did you complain to the management of the want of sidings ?—A. Quite frequently.

Q. And still none given ?—A. None given, as previously stated I went over the line with the general superintendent, Mr. A. M. Smith, last August, and we laid out different points where sidings would be put in, but they were not put in.

Q. Have they been put in since ?—A. I believe some have.

Q. And some enlarged ?—A. Yes, sir.

Q. To enable them to perform their work ?—A. Yes.

Q. Without these sidings and without enlargement of them could they have performed the work any better than you had it done ?—A. There would be serious delays, the smaller train would take the sidings and allow the larger one to occupy the main line.

Q. That is what you had to do ?—A. Yes.

Q. Was Mr. Cameron ill for any length of time before he resigned?—A. Only for a few days.

Q. What were the requests you made for better facilities?—A. As to the number?

Q. Yes?—A. General request as to more power, I required at least six engines, and the larger passing tracks, better water facilities; those were the principal things.

Q. Did you get the water facilities?—A. No, sir.

Q. Do you know whether they have been obtained since?—A. I do not know.

Q. You do not know whether tanks have not been supplied since then?—A. No, sir.

Q. Do you know what has been done towards giving these facilities since you left the service?—A. No, sir, I do not.

Q. Do you know how many engines they have supplied?—A. No.

Q. Your son was at Port Stanley acting as agent there?—A. Yes, sir.

Q. When did he leave?—A. September of last year.

Q. Why?—A. Purely on his own account. He had the misfortune to loose his wife while there, and he felt he could not remain in Port Stanley after that, everything reminded him so of the happy home he had, and he could not remain.

Q. He is now living in Toronto?—A. In Montreal.

Q. From your very considerable experience as a railroad man would you have any difficulty in filling all the positions I have referred to with Canadians?—A. No, sir, I would not.

Q. Well qualified for the duties?—A. Perfectly.

Q. And even if some of those resigned you think you could have supplied their places with Canadians qualified and able to perform the duties satisfactorily?—A. Yes, sir.

Q. Without any difficulty?—A. Yes, sir.

Q. Would you go to the Wabash and the Michigan Central to get men?—A. I think I would have gone to some roads having Canadians, such as the Canadian Pacific, the Canadian Northern, the Canada Atlantic, the Intercolonial, any other roads in Canada.

Q. Not to the two American lines running through St. Thomas?—A. I think not.

Q. You would not likely get Canadians there?—A. There are a number of Canadians there.

Q. For these higher positions?—A. Probably not for the higher positions.

Q. But you think there would not be any difficulty in getting them from the other roads, or even apart from the other roads?—A. Yes, sir.

Q. Can you give me the number of hours that a chief despatcher should be required to attend to the duties of that office?—A. It depends on whether there is a day and a night chief; if there is no night chief a despatcher is usually on probably long hours from fifteen to eighteen hours.

Q. Continuous service?—A. Yes, sir.

Q. Don't you think that is rather long?—A. It is.

Q. Don't you think nervous prostration would very soon follow that?—A. I believe it would if continued.

Q. So that a man who was compelled to do that would want a better job elsewhere very quickly?—A. Yes, sir.

Q. How many foremen had you in the mechanical department?—A. One at Walkerville and one at St. Thomas.

Q. Who were they?—A. Bartlett and a fellow named Harry Mann in St. Thomas.

Q. Do you know if both these men are still in the service?—A. Bartlett is not.

Q. I understand he is in Manistee or some position over in the United States now; have you heard that?—A. I understood he went to the Pacific Coast, San Francisco.

Q. You were satisfied with Bartlett's work while you were there?—A. Yes, sir, of course he came directly under the master mechanic, I held the master mechanic responsible for that.

Q. That is the way it is still?—A. Yes.

Q. Do you think there would be any difficulty in obtaining a Canadian to act as district passenger agent in London?—A. I would not think so.

Q. From your knowledge as a railroad man?—A. Yes, sir.

Q. You think there would be no difficulty?—A. I would not think so.

Q. Mr. Gilhula wishes two or three questions to be asked of you. Did Mr. Gilhula make application to you for a position within the past two years?—A. I would not speak as to the exact time, but he had made application to me, I think, on more than one occasion.

Q. Do you know for what position?—A. Train despatcher or chief despatcher or train master.

Q. And did you give him any encouragement in that connection?—A. No sir.

Q. Do you know what reason Mr. Gilhula had for wishing to return to Canada to live?—A. My memory is that on account of his father and family connections living in Canada, he wished to come back.

Q. He assigned that as a reason?—A. Yes, sir.

Q. And I understand he has lost his father since then?—A. I believe so.

Q. Do you know anything about Mr. Cain's or Mr. Gilhula's abilities as train-masters and chief despatchers respectively?—A. No, sir.

Q. You did not know them previous to their being appointed here?—A. I think I met Mr. Gilhula on one or two occasions.

Q. As well as receiving applications from him?—A. Yes, but nothing as to his qualifications and ability.

Q. You do not know anything about the road since you left, the manner in which it has been conducted at all?—A. No, sir.

Q. I think that is all I have to ask you unless you wish to give any statement yourself?—A. No, sir, that is all.

Q. I am just told that the large number of beets that were grown in connection with the sugar factories congested your business considerably at Blenheim and Chatham?—A. That had to do with it as well as the general local business and the through business.

Q. Of course they have no such cause for congestion since the new management took place?—A. I believe they were just as badly congested last fall.

Q. Not since December 1?—A. No, the beet business is over before that, January 1.

Q. I am told there were 600 cars of beets stored a year ago?—A. No, sir.

Q. How many, do you know?—A. There would not be more than 150.

Q. On your road?—A. Yes, sir.

Q. Where would they be stored?—A. At Dresden, where there was a factory, and at Wallaceburg, where there was a factory, and some at other sidings waiting movement, probably altogether 150 or 200 cars.

Q. Of course that was owing to the want of power?—A. Yes, the want of power to move it.

Q. That is really the prime reason?—A. That is the kernel.

The COMMISSIONER.—Is there any other witness present, or any one else who wishes to give any statement with reference to this before I adjourn?——No one responded.

EVERETT E. CAIN, was recalled and examined.

By the Commissioner:

Q. Mr. L. E. Tillson was your general agent at Chatham?—A. No, agent.

Q. Agent at Chatham when you were appointed?—A. Yes.

Q. How many men had he under him then?—A. You refer just to the switchmen?

Q. In charge of the yard?—A. Yes, he had a yard conductor and one switchman.

Q. Did he ask for any assistance?—A. No additional help, he asked if he could not—this conductor Winegarden was running on the road, but he lived in Chatham—

his home is there—Tillson said, 'Winegarden would be glad to take this yard for the winter as his wife is in bed in bad health, he can run it better than anybody else. Can I give it to him?' I said, 'Yes, that would be all right, if he can run it better than anybody else, give him the place.'

Q. Had he been complaining that it was impossible with the staff at his command to handle the traffic?—A. No, sir, not anything of that kind that I know of.

Q. Did you give him verbal instructions to hire another man?—A. No, sir.

Q. Only in the way you mentioned?—A. Yes, just merely to take another man's place.

Q. Not an additional man?—A. No. You see this man that he had in charge of the yard there, was a man, as I understand it, that he had just taken up there a while before—I do not know how long he had had him—but he said he was not giving satisfaction, he could not handle the yard. I said: 'If he cannot handle the yard put this other man in his place,' and the thing was all right. And I happened to look over something pertaining to the pay-rolls, and I noticed he was carrying two men with the yard conductor, two switchmen, and I immediately called Mr. Pyeatt's attention to it, and asked him if he knew about it, and he said, 'No, that is ridiculous.'

Q. Was that after he had been there about a month?—A. I think the new man had been on—we noticed it on possibly the first pay-roll—of course they were only gotten out once a month. We just called up Tillson.

Q. Did he state you had authorized him to engage him?—A. No, sir, he admitted that we had not, he did not make any argument at all on it. Mr. Pyeatt was the man that talked to him; I do not employ the agents, they are employed by Mr. Pyeatt, and of course I have something to do with the discipline and such things as that.

Q. Then Mr. Pyeatt asked him to pay the man himself, out of his own salary?—A. Yes, I think that was the way he put it, that they would ask him to pay that expense.

Q. Did he do so?—A. No.

Q. Who paid it?—A. The company. Of course it had been paid; that had gone in on the pay rolls; Mr. Pyeatt, I believe, asked him to reimburse the company this sum.

Q. And he never did?—A. No.

Q. What was the result of that?—A. Nothing at all, only Mr. Tillson resigned. He was not asked to resign; I am almost positive he was not asked to resign, that is my understanding.

Q. But rather than pay it he resigned?—A. Possibly that was his reason for resigning, but I understood from someone at Chatham that Tillson had resigned to go into the coal business; I have not seen Tillson since he resigned.

Q. Who took his place?—A. Mr. R. W. Youngs, our former agent at St. Thomas.

Q. Who was sent out to Chatham?—A. He was transferred from St. Thomas to Chatham.

Q. And he is there now?—A. Yes. I might add Tillson's work had not been satisfactory. We had been complaining to him a good deal, in a nice way. Tillson was well acquainted there, and had a good many friends, and I did not want to remove him, but we wanted him to get along, but he did not have hustle or push about him, that was the only thing. We realized he was well acquainted there and we wanted him to get out and get the business. He was not getting the business. Tillson was not a very aggressive man, in other words.

Q. Was not sufficiently active for your purpose?—A. I liked Tillson personally and we were always good friends, and are yet for anything I know. I have nothing against him, but I am positive Tillson was not asked to resign. He resigned of his own accord.

Q. That was all I wanted to put in so as to answer this letter I have received?—A. I of course did not handle the case myself; this is hearsay. I do not discharge or employ agents.

Q. The only question was as to you authorizing him to hire this extra man?—A. No, never did, and he didn't contend that at all. You realize that if I had done this when Mr. Pyeatt called him in—I did not call him in—he would have stated 'Mr. Cain told me to do this.' He did not say that. If it had been my mistake I certainly would have owned up and I would not try to throw it off on to somebody else.

Adjourned at 11.30 a.m. to 11 a.m. on Tuesday next, May 2nd, at the Court House, Toronto.

COUNTY JUDGE'S CHAMBERS, COURT HOUSE,
TORONTO, April 29, 1905.

Mr. Kirkpatrick having received a subpœna for St. Thomas, which was forwarded to his residence in Toronto, he called to see the Commissioner on Saturday, April 29th, 1905, and the Commissioner thereupon examined him with the understanding that in case the railway company or anyone desired to cross-examine or to re-examine him, Mr. Kirkpatrick would attend subsequently for that purpose.

WILLIAM A. KIRKPATRICK, sworn, examined.

By the Commissioner:

Q. You are a despatcher?—A. Not at present.

Q. You were a despatcher on the Père Marquette?—A. Yes, sir.

Q. When did you first become such?—A. Ridgetown.

Q. How long ago?—A. Two and a half years.

Q. You were under Mr. Woollatt at that time?—A. Yes.

Q. He was the superintendent of the railway?—A. Yes, sir.

Q. Was that before the Père Marquette bought out the Lake Erie and Detroit River Railway?—A. Yes, sir.

Q. Who was the chief despatcher above you?—A. Mr. Bailey.

Q. Which trick had you?—A. The third trick.

Q. What hour?—A. That was from eleven at night till seven in the morning.

Q. You were midnight, then?—A. Yes.

Q. What line had you charge of?—A. The whole system.

Q. You continued at that work until you moved to St. Thomas in November or December last?—A. I think it was the first of September.

Q. That was before the shop moved down?—A. Yes, sir.

Q. Mr. Bailey's services were dispensed with after you moved to St. Thomas or before?—A. Afterwards.

Q. And Mr. Arnum took his place?—A. Yes, sir.

Q. Then Mr. Arnum resigned and Mr. Gilhula was appointed?—A. Mr. Arnum did not resign, but Mr. Gilhula was placed in there and Mr. Arnum was put on third trick.

Q. After Mr. Gilhula came there were the duties changed in any respect?—A. Well, there was more work put onto the despatcher.

Q. In what way could there be more work put on?—A. Looking for crippled cars and in work that had to be promptly attended to in the ordering of cars

Q. Who did that extra work previously?—A. The chief train despatcher or the car despatcher.

Q. And that work was taken from them and put upon the trick despatcher, a great deal of the chief despatcher's part of it?—A. Yes.

Q. So that the chief despatcher was not as fully employed after Mr. Gilhula came as he had been previously?—A. No.

Q. He had less work to do in fact than Mr. Arnum had when he was chief despatcher?—A. I believe so.

Q. That is what you saw while you were there?—A. Yes, sir.

Q. Then you were under Mr. Cain as well as Mr. Gilhula?—A. Yes, sir.

Q. Under both of them?—A. Yes.

Q. Then you had been under Mr. Cameron, too?—A. Yes, sir.

Q. Was Mr. Cameron qualified for that position of train master?—A. Yes, sir.

Q. Any complaints made about him at all?—A. Not that I am aware of.

Q. Never heard of any complaint?—A. No, sir.

Q. Neither from the officials above him nor from the public?—A. No, sir.

Q. Nor from those under him ?—A. No, sir.

Q. He had been there for a number of years before you ?—A. Yes, sir.

Q. Do you know whether he gave satisfaction to every one he had to do with ?—A. Yes, sir, I am satisfied.

Q. Do you know how he came to leave the service ?—A. Being asked to resign.

Q. He was asked to resign, by whom ?—A. J. S. Pyeatt, superintendent.

Q. Do you remember when that was ?—A. About the 25th of December.

Q. What took place at that time ?—A. Nothing in particular.

Q. Had he been doing anything that was improper, or was he not carrying out the orders of the superintendent, or why was he asked to resign ?—A. He was asked to resign on account of the superintendent saying that the men should be disciplined more than they previously had been.

Q. Had the men been disciplined before that ?—A. I think sufficiently, yes.

Q. Did he get work out of them as well as they got out of them after he left ?—A. Yes, sir.

Q. What was the real cause of the difficulty ?—A. I believe Mr. Cain was a friend of Mr. Pyeatt, and the intention was to get rid of Mr. Cameron in order to place him.

Q. You think it was just for the sake of having a friend appointed in his place ?—A. Yes, sir.

Q. They stated in evidence before me that the condition of the power was very bad when Mr. Pyeatt took office; do you know that ?—A. Yes, sir. They had no shops in St. Thomas at the time, and the shop was at Walkerville where most of the repairing was done, besides having had a good deal of power coming from the other side.

Q. Were there not sufficient sidings for the moving of the trains and cars ?—A. No, sir.

Q. Water ?—A. No, sir.

Q. Not sufficient water ?—A. No, sir.

Q. Did you know about the falling away of the local business?—A. Yes, sir.

Q. To what extent did it fall away ?—A. I could not exactly say, only that agents along the line and every one was complaining; the agents complained of their business.

Q. Was the through business increasing ?—A. I believe so.

Q. And that, of course, caused a good deal of trouble ?—A. Yes, sir.

Q. In consequence of their business increasing and the want of power ?—A. Yes, sir.

Q. In what manner was the resignation of Mr. Cameron called for, do you remember—how did it take place ?—A. When he was out on the road attending to his duties, on coming back one evening he found a letter on his desk asking for his resignation.

Q. Did you see the letter ?—A. Yes, sir.

Q. What was the wording of it ?—A. I could not exactly say, I do not remember exactly, only it asked for his resignation by, I think, January 1st. He thought it necessary on account of the men not being properly disciplined.

Q. What did Mr. Cameron say, do you remember ?—A. He said he thought it was a very mean way of doing when he was trying to do his duty, and then instead of calling him in and speaking to him and telling him about it, he did it in rather a mean way, he thought.

Q. Had you heard Mr. Pyeatt previous to that complaining to Mr. Cameron for not attending to his duties ?—A. No, sir.

Q. Did Mr. Cameron say he had been spoken to before that at all ?—A. No, sir.

Q. You and Mr. Cameron were intimate ?—A. Well, not any more so than any the rest of them, he was always rather intimate with the despatchers and anybody in the office.

Q. Necessarily so, I suppose ?—A. Yes.

Q. Mr. Cameron is away out of the province just now ?—A. Yes.

Q. Searching for employment ?—A. I believe so.

Q. He has been idle since the 1st January up to the present time, so far as you know ?—A. Yes.

Q. Unable to obtain employment ?—A. I believe so, any suitable employment.

Q. You were under Mr. Cain ?—A. Yes, sir.

Reporter read to Mr. Kirkpatrick Mr. Cain's statement in his evidence given on the 26th April as to the mistake made by Mr. Kirkpatrick, and Mr. Cain's reasons for deciding to dispense with Mr. Kirkpatrick's services.

Q. You have heard read what Mr. Cain stated about the mistake ?—A. Yes, sir.

Q. What do you say with reference to that ?—A. I remember of him calling me in on that occasion quite well, and I think he is wrong in saying that I lied about it. I remember taking my book in there, but I do not remember of saying that that was not the right book, but I think I proved to him that I was not in the wrong.

Q. From your book ?—A. I do not remember whether I showed him the order in the book or not.

Q. And were you wrong at that time ?—A. I do not think I was, no.

Q. Did he ever speak to you about it subsequently ?—A. Not any more than calling me in at that time.

Q. That is the only time ?—A. Yes, sir.

Q. Was that the reason why you resigned your position ?—A. No, not that particular reason.

Q. What was the reason that caused you to resign ?—A. We were not receiving proper treatment from our officials.

Q. Which ones ?—A. Mr. Gilhula, especially.

Q. In what way did they treat you improperly ?—A. Regarding the delays occuring, he would not reason with me properly, I do not think; I showed him on two or three occasions where delays could not be helped.

Q. You might explain that one you mentioned to me before so that it can be taken down in the notes ?—A. In that case I gave a freight train, I think at Dresden, an order to meet a north-bound train at Everett, a flag station between Chatham and Dresden. The north-bound train, I think, for the reason of the engine failing at Chatham, was cancelled there and tied up for several hours, and the south-bound train had already been at Everett waiting for the north-bound train. The north-bound train engine was in such a shape that it could not be run light to Everett, but in order to get the south-bound train out of Everett an order had to be sent to him in some way by train to bring him to Chatham, for the train which he was to meet at Everett. A passenger train at Chatham instead of Everett. If I had given the order to the engine to carry Everett with an order to bring the south-bound train in to Chatham he could not have got out of Chatham ahead of the passenger train. I gave the passenger train an order to carry the conductor of the south-bound train at Everett to meet the north-bound train at Chatham instead of Everett. If I had given the order to the engine to carry out they could not have moved out of Everett before the passenger train, even if the north-bound train had run out ahead of the passenger train. I presume that this saved

not only the expense of the trainmen in going out with a light engine to bring in the south-bound train, but also the expense of coal. Mr. Gilhula accused me of a delay of the south-bound train at Everett on account of not sending that light engine out of Chatham, which if it had gone to Everett ahead of the passenger train they could not have moved before the passenger train in the opposite direction.

Q. At other times he found fault as well with you?—A. Yes, sir, on different occasions, I cannot just state them, but I was not fairly treated, I don't think.

Q. Did you tell him so?—A. Yes, sir.

Q. What did he state?—A. Well, on one occasion at Dresden, I made a meet there, and I forget, but I think I had three or four trains with plenty of side track room but one of the trains that was there derailed a car on the belt line, if I remember correctly, and the other trains could not get in, and he accused me of bringing those trains all to Dresden when there was plenty of room for twice the number of cars had not this train derailed a car, which I did not know of until I gave the orders at other stations. He accused me again of bunching up my trains. I explained to him that I did not bunch them up, that the delay was caused by the derailing of a car. That evening I spoke to him, after being relieved for the night, and I told him that I did not think it right to accuse me of that delay. He told me that he did not mean to say anything, that he was simply angry at something else at that time; but I did not think he should have accused me at the time of the delay, as the other despatchers and operators in the office were there, which did not look very well, when they knew the circumstances.

Q. Was it in consequence of this fault-finding from time to time by Mr. Gilhula that you resigned?—A. Yes, sir, partly.

Q. For any other reason then?—A. My intentions were to go west this year, that is if there was nothing else turned up in St. Thomas better than what I had in the office.

Q. What salary were you receiving?—A. $80 a month.

Q. When was it you left?—A. February 13.

Q. You are now with the Canadian Pacific Railway, I understand?—A. Yes, sir.

Q. From your experience with the different railways are you of opinion that they could easily have obtained, or could have obtained, a Canadian to take charge of the despatching there as chief despatcher?—A. Yes, sir.

Q. Without much difficulty?—A. I believe so, yes.

Q. Provided they paid them a fair salary?—A. Yes, that was the trouble at the time; when this new chief despatcher came they raised him $20 a month.

Q. More than they had been paying the previous chief?—A. Yes, sir.

Q. So that Mr. Gilhula is getting $110 and the former chief was only getting $90?—A. Yes, sir.

Q. You have already stated that the want of power was what was causing so much difficulty and delay?—A. Yes, sir.

Q. Did they supply power after Mr. Pyeatt took charge?—A. Yes, sir.

Q. Sufficient?—A. Yes.

Q. And put in sidings?—A. Yes, sir.

Q. As well as supplying water tanks?—A. They are putting in a supply of water tanks now.

Q. Do you know whether these were asked for before Mr. Pyeatt came?—A. I believe that the power was.

Q. But not obtained?—A. No, sir.

Q. If the old officials were there with this new power and new sidings, could they conduct the business just as well as the present officials are conducting it?—A. Yes, sir, I believe so.

Q. All the old officials previous to the new régime, were they acting in the interests of the railway?—A. Yes, sir.

Q. And constantly at work?—A. Yes, sir.

Q. And you know of no reason why such a man as Mr. Cameron and the others should have been dismissed?—A. No, sir.

The COMMISSIONER.—I think that is all. If the solicitors for the railway company want to cross-examine you I will let you know, so that you may come up again, and they can ask you any questions they wish?—A. All right.

Commission resumed at the Court House, Toronto, May 2, 1905, at 11 a.m., and adjourned *sine die* in consequence of the absence of Mr. Cameron from Toronto. Only Judge Winchester, the Commissioner, was in attendance.

PERE MARQUETTE INVESTIGATION.

TORONTO, Monday, May 15, 1905.

Before His Honour Judge WINCHESTER, *Commissioner*.

DR. ALBERT O. JEFFREY, K.C., representing the Dominion Government.

Mr. R. H. C. CASSELS, representing the Père Marquette Railway.

The Commissioner read the commission directing the investigation.

The COMMISSIONER.—I entered upon the inquiry on April 24, at London, adjourning to St. Thomas, and from St. Thomas to Toronto. I intended taking up the examination of witnesses in Toronto on May 2, and I adjourned until that day, but in consequence of being unable to obtain the witnesses I adjourned it until this morning, at ten o'clock. We will now proceed and continue the evidence.

The Commissioner having handed the extended evidence of William A. Kirkpatrick to Mr. Cassels to read before the inquiry was opened, Mr. Kirkpatrick was called for cross-examination.

WILLIAM A. KIRKPATRICK, recalled.

Cross-examined by Mr. Cassels:

Q. You state in your evidence that the reason you resigned from the employ of the Père Marquette Railway was that you were not receiving proper treatment from your officials, and in support of that you state that on various occasions Mr. Gilhula found fault with you for not despatching your trains properly, as he alleged, and for delays, in one case, a delay at Dresden and Everett, and in another case again a delay at Dresden; now I suppose when you are giving orders to get your train through at a certain time you have got to do that, or are you given your own time?—A. We are supposed to do it, yes.

Q. Is Mr. Gilhula not justified in complaining of your conduct when the trains did not get through?—A. No, I don't think so.

Q. Why not?—A. When a despatcher is not to blame he has no right to complain of the despatcher.

Q. You say here: 'Mr. Gilhula accused me of a delay of the south-bound train at Everett on account of not sending that light engine out of Chatham, which if it had gone to Everett ahead of the passenger train they could not have moved before the passenger train in the opposite direction.' Now, Mr. Gilhula evidently was of opinion that you should have sent that engine out?—A. Yes. Whether he was of the opinion or not, he said so.

Q. I am instructed that if you had not resigned when you did, that you would have been asked for your resignation in any event; do you know if that is correct?—A. I did not know anything of it, no.

Q. Mr. Cain was your chief at that time?—A. He was trainmaster.

Q. He was the man who was directly over you?—A. Yes.

Q. Mr. Cain, I understand, states that you would have been asked to resign for having lied to him about some order which he had given you; had you heard anything of that?—A. No, I did not lie to him about the order.

Q. Were you aware that that accusation had been made against you?—A. Yes, I was aware of it—not until after I had resigned.

Q. No complaint was made to you at that time?—A. No. I was taken in about the matter and I showed Mr. Cain that he misunderstood the case, and then he turned around and said he found out a few days after, or a short time after, that I lied to him.

Q. Were you then brought up again?—A. No.

Q. No accusation was made then?—A. No.

Q. In your evidence given as to despatcher Cameron or train master Cameron, you were asked if Mr. Cameron was qualified for that position, and you answered, 'Yes, sir'; now, what means have you of knowing whether Mr. Cameron is qualified or not?—A. Why, as far as I knew, as far as I could judge, and as far as I heard men say, that I thought knew Mr. Cameron, he was qualified for the position.

Q. Who had you heard say that he was qualified?—A. I had heard the chief train despatcher.

Q. Who was that?—A. Mr. Bailey, I heard him say.

Q. When did you hear him say that?—A. Well, I cannot just state what time I heard him say that.

Q. Do you remember any other occasion on which you heard that stated?—A. No, I don't.

Q. Do you remember any other occasion on which you heard that stated?—A. I cannot remember any particular occasions I heard it.

Q. You make the statement that he is qualified; now, you must have some grounds for thinking or knowing that he was qualified?—A. Well, I believe he was from my own opinion.

Q. Just from your own observation?—A. Yes.

Q. You cannot say definitely when you have heard anyone state that he was qualified?—A. No; I never heard that he was not qualified.

Q. The question is whether you have ever heard that he was qualified?—A. Yes, I have heard that he was qualified, on different occasions. I cannot state just the particular time I heard that.

Q. Can you state who made those statements?—A. Mr. Bailey, I know for one.

Q. Any others?—A. No, only the despatchers in general thought that Mr. Cameron was qualified for the position.

Q. How do you know that they thought that?—A. Well, by the way they talked.

Q. How did they talk?—A. Well, they said often through conversation, or one thing and another.

Q. Surely you can tell me on what occasions they said those things?—A. No, I cannot remember on what occasions.

Q. Can you remember any one occasion where you have heard that said?—A. No

Q. Did you ever hear of any complaints made against Mr. Cameron?—A. No. sir.

Q. Do you know whether Mr. Cameron gave satisfaction to his employers up to the time that he was dismissed or resigned?—A. I believe he did.

Q. Why do you believe he did?—A. I never heard any complaints.

Q. Did you ever hear the matter mentioned at all, one way or the other?—A. No, sir.

Q. Then why did you state in your evidence that you are satisfied that he did give satisfaction?—A. I never heard any complaints.

Q. How could you be in a position to know whether he gave satisfaction or not?—A. If there was any dissatisfaction we generally used to hear it around our offices, around the offices where we were.

Q. I suppose there might have been dissatisfaction without your hearing of it?—A. There might have been, yes.

Q. Do you know what the reason was for Mr. Cameron being asked for his resignation?—A. Not any more than I had seen in the letter.

Q. What was that?—A. Asking him to resign, that they thought the men should be disciplined, or something to that effect, and somebody should be put in a position there that would discipline.

Q. Are you aware of any other reason?—A. No.

Q. None whatever?—A. No, sir.

Q. Who was appointed in Mr. Cameron's place?—A. Mr. Cain.

Q. Who would make that appointment?—A. I could not swear that.

Q. You do not know?—A. No, sir. Mr. Pyeatt, I think, would have good authority, but if I remember correctly Mr. Trump and Mr. Cotter.

Q. Have you any opinion of your own as to why Mr. Cameron was asked to resign, apart from what appeared in the letter?—A. Yes. You mean outside of what appeared in the letter?

Q. Exactly?—A. Yes.

Q. What was it?—A. I believe Mr. Cain was a friend of Mr. Pyeatt's, and that he wanted to be placed in that position by Mr. Pyeatt.

Q. What reasons have you for thinking that?—A. Well, I had heard through the office that there had been correspondence between Mr. Pyeatt and Mr. Cain.

Q. Who had you heard that from?—A. I had heard it from the despatchers.

Q. What despatchers?—A. Well, I cannot just state that.

Q. It was just gossip?—A. Yes, just gossip. In fact, I knew myself that Mr. Cain and Mr. Pyeatt were corresponding; I saw a letter myself.

Q. Where did you see the letter?—A. I saw a letter in on the desk in the clerk's room when I was in there on business.

Q. Anything said in that letter about getting Mr. Cameron out of the way?—A. No.

Q. So that the only ground upon which you base opinion is just the common gossip that you heard about the office?—A. Well, not exactly.

Q. Do you know of any facts that would bear you out in that opinion?—A. Well. I had never heard anybody that was dissatisfied with Mr. Cameron, and that is generally the way to judge—by dissatisfaction.

KEITH R. CAMERON, sworn, examined:

By the Commissioner:

Q. I understand you were formerly trainmaster on the Père Marquette Railway in Canada?—A. Yes.

Q. When were you first employed as trainmaster and where?—A. At Walkerville, and my appointment took effect on July 1, 1899.

Q. What was the name of the railway at that time?—A. Lake Erie and Detroit River.

Q. Who appointed you?—A. William Woollatt, the general superintendent, approved of by E. Chandler Walker, the managing director.

Q. That is a Canadian line?—A. Yes, your honour.

Q. At that time it was under Canadian management?—A. Under Canadian management.

Q. What had you been doing previous to that?—A. Train despatcher and car distributor.

Q. Where?—A. At Walkerville.

Q. How long had you been in that position?—A. About five years.

Q. What had you been doing previous to that?—A. Stenographer, and doing some telegraphing—helping out in telegraph work.

Q. On the same line?—A. On the same line.

Q. For how many years?—A. About one year.

Q. Was that your first acquaintance with railroad work?—A. No, sir, I was with the Grand Trunk about three years and a half previous to that.

Q. As what?—A. As messenger boy. In the first place I commenced with the old Northern and North-western in Toronto as a messenger boy, in the general superintendent's office; that was in 1887.

Q. Eighteen years ago?—A. Yes. I took up telegraphing and shorthand. After the amalgamation of the Grand Trunk and the Northern and North-western in 1888, the office that I was in was removed to Allandale. I remained there for about two years and a half. The first year and a half I was there I was stenographer for the superintendent at that time.

Q. Then you left there and went to the Lake Erie and Detroit River?—A. I left the Grand Trunk and went to the Duluth, South Shore and Atlantic at Marquette as an operator, and I remained there for nearly a year, and then came home.

Q. Came home and took a position on the Lake Erie?—A. Took a place on the Lake Erie in 1893.

Q. And you remained there until the end of December last?—A. Yes, your honour.

Q. What were your duties as trainmaster?—A. To attend to the running of trains, the proper handling of cars both on the line and at terminals. I also had charge of the agents and operators, recommended appointments, &c.

Q. And conductors?—A. Conductors, baggagemen and brakemen.

Q. All those were under your jurisdiction?—A. Yes, sir.

Q. You supervised their work?—A. Supervised their work.

Q. How long had you been acting as trainmaster on the Lake Erie before the Père Marquette took control of that line?—A. In 1899 until 1902. In January, 1902, the Père Marquette took control of the Lake Erie.

Q. What condition was the road in at that time when the Père Marquette took charge of it?—A. Very good for local business. We were a local line.

Q. You were merely a local line up to that time?—A. Yes, your honour.

Q. Running from?—A. From Walkerville to St. Thomas and London, Sarnia and Chatham.

Q. Had you control of the Lake Erie and Huron as well as the Lake Erie and Detroit River at that time?—A. Yes.

Q. There was an amalgamation between those two lines before the Père Marquette took control?—A. In 1898.

Q. In 1898 there was an amalgamation between the Lake Erie and Detroit River and Lake Erie and Huron?—A. Yes.

Q. What about the London & Port Stanley line?—A. The London & Port Stanley line was taken over by the Lake Erie and Detroit River in 1894. That was at that time operated separate.

Q. So that the Canadian system at the time the Père Marquette took control of it was comprised of the Lake Erie and Detroit River Railway, and that was composed of the original Lake Erie, the original Lake Erie and Huron, and the London & Port Stanley lines?—A. Yes.

Q. All in Canada?—A. All in Canada.

Q. I suppose you know whether those roads were bonused by the municipalities through which they ran?—A. I was aware of that.

Q. And the management of the different roads were in Canada?—A. Yes.

Q. What do you say at the time that the Père Marquette took possession as to whether the roads were in good condition, and were they sufficient for the local business that they were doing at that time?—A. Yes, your honour.

Q. When, then, was it that the through business was commenced on the line?—A. January 20, 1902, was set for the day, but the through business did not commence to come to us until about six or seven days after that.

Q. So that in January, 1902, the Père Marquette had a through business from their lines in the United States, through Canada to the Niagara frontier?—A. Yes.

Q. I am told they ran over the Michigan Central from St. Thomas east to the Niagara frontier?—A. Yes.

Q. That constituted their through traffic?—A. Yes.

Q. What was the result of their adding a through business to their local business?—A. After the through business commenced to get heavy we felt that short sidings were not of much help to us in the matter of crossing trains, but at that time some of the sidings were extended and put in better shape, and through business went along very well for some time.

Q. How long do you think?—A. From about 1902 until the first management took hold; that would be about the summer of 1902, July or August. I would not be certain about the months.

Q. Then there was a new management on the Père Marquette line?—A. Yes.

Q. Took hold of the whole system, and what took place then?—A. Things went along all right until the second management took charge, last fall.

Q. A second management took charge?—A. Yes.

Q. When did that take charge?—A. Some time last fall, about the latter part of September, 1904.

Q. Then what took place upon that management taking charge of the control?—A. So far as the Buffalo division was concerned——

Q. The Buffalo division is what we understand as the Canadian lines?—A. Yes. We were left entirely alone; that is there was no change made whatever until Mr. Woollatt resigned on account of ill health, and Mr. Pyeatt, the present superintendent, took charge on or about November 26 or 28.

Q. What was the condition of the road at that time?—A. It was very bad.

Q. Why?—A. Well, we were experiencing all kinds of trouble for the lack of motive power. What motive power we did have in the service was not of much use to us. We had been very short of water for some time; in fact we were running water trains from St. Thomas to Dutton, filling up the tank night and day. Our sidings were not long enough for the crossing of through freight trains. The small shops that the railway company had at Walkerville, which were built to accommodate five or six engines, were required to attend to the work of twenty-five and thirty and thirty-five engines, and they were simply unable to repair engines in anything like the time that they should in order to put them in good service. At that time a general workshop was being built at St. Thomas, but it was of course no use to us; it was only in construction.

Q. It was not finished?—A. It was not finished.

Q. And there was no work going on inside of it?—A. No work going on inside at all. We were very badly handicapped; at times that an engine required anything like a general repair, instead of holding that power at St. Thomas it was necessary to send it 127 miles west to Walkerville. There was a day lost, and a day lost bringing the power back to St. Thomas after it was put in shape for service.

Q. Mr. Pyeatt says in his evidence that at the time when he took control over the road he found it in a very bad condition indeed, and also that the trains were running very slow; can you account for that?—A. Trains were running slow on account of a great lack of power, and no water; that was the reason that trains were in awful bad shape. I never saw trains in such shape myself until that time. Our trains were coming to water tanks, and perhaps two or three or four trains would get bunched together, when the second man would be unable to get water, and he would simply have to pull his fire, and, using a railroad phrase, he would 'die' on the main line.

Q. The engine would go out of business?—A. Go out of business. They would have to pull the fire on account of there being no water.

Q. What efforts did you make to remedy all this?—A. So far as the water question was concerned, we hauled water from St. Thomas to Dutton night and day—had done that for over a month.

Q. Why could you not have tanks built upon the different lines at different places?—A. We had tanks. I might say that between Ridgetown and St. Thomas we had

two tanks, one at Ridgetown, and one at Dutton, one at St. Thomas also; but one tank between the two points, which is 43 miles. There should have been another tank.

Q. Why was it not there?—A. I know that Mr. Woollatt when he was superintendent, was after the Detroit people dozens of times for water tanks, but they were never forthcoming.

Q. What about the power; why did you not get better and new power?—A. I know that Mr. Woollatt was after power as hard as he was after water. He was after power for days, but he never got it; and tracks and sidings, Mr. Woollatt was after sidings and he never got them, could not get them.

Q. I understand his health gave out because of the worry and the strain upon it in not being able to move traffic with the facilities that he had; is that correct?—A. That is correct.

Q. He himself stated that he was accused by the manager or general superintendent of taking the road to bed with him?—A. He spoke to me about that.

Q. And the strain was too great for his health?—A. Too great for his health.

Q. What Mr. Pyeatt said was that the trains were very late, running from thirty, forty and even fifty hours on a road 117 and 27 miles long; is that correct? Did it take that length of time to run that length of road?—A. At this time I don't recollect just how many hours it took some of the trains to run, but I rather fancy that Mr. Pyeatt in mentioning thirty and forty and fifty hours must refer to some trains that would be standing on the main line dead, as I mentioned a short time ago, for the want of water—remaining there for hours before we would get another engine to them. We were so situated that when an engine died on the main line with a train we would have to wait perhaps ten, twelve, fifteen and twenty hours before we could get a second engine to go after that train.

Q. And that was the cause of the delay?—A. That was the cause of numbers of delays, waiting for engines.

Q. Then you say that Mr. Pyeatt was appointed superintendent of this Canadian division or Buffalo as it is called, on or about the 28th November, 1904?—A. Yes.

Q. When were the offices moved from Walkerville to St. Thomas?—A. From Walkerville to St. Thomas they were moved about the 28th or 29th day; they were moved immediately.

Q. Immediately after Mr. Pyeatt's appointment?—A. Immediately. I believe the 28th or 29th.

Q. Were you also removed to St. Thomas at that time?—A. Previous to going to St. Thomas I was located at Ridgetown, and my office was moved from Ridgetown to St. Thomas on the 1st of September, 1904.

Q. So you were in St. Thomas before Mr. Pyeatt's appointment?—A. Yes, your honour.

Q. Your position was head of the transportation?—A. Yes.

Q. And as such I suppose you would come in contact with the superintendent?—A. Yes, directly under him. I would report to the superintendent.

Q. What did Mr. Pyeatt do with reference to the transportation that was under his jurisdiction at the time he was appointed?—A. He made no change.

Q. Did he consult you with reference to transportation?—A. Not a great deal; very little.

Q. Did he complain to you about the delays?—A. He did not.

Q. Did he make any complaints to you at all about the manner in which the transportation was looked after?—A. He made no complaints to me whatever. He spoke to me on two or three occasions about the general operation, admitting that we were up against it hard, and that we would have to do the very best we could, knowing at that time that it was a very hard proposition, but no complaint was made.

Q. No complaint was made to you with reference to the manner in which you were performing your duties?—A. No, your honour.

Q. Are you sure about that?—A. I am.

Q. Mr. Pyeatt in his evidence, states this : I asked him the question. 'Did you complain to Mr. Cameron about the difficulties the system was under ?' and he said, 'Yes, sir.' Q. What did he say with reference to it?—A. At different times a great many things. Q. Did you specify particular instances, or did you merely state generally that the system was not up to the mark ?—A. No, I complained of the time the trains were making. They were very late, running from 30 to 40 and 50 hours on a road 117 and 27 miles. Q. Did you explain how that could be overcome?—A. I had my ideas as to how it should be overcome. Q. Did you explain it to him?—A. Yes Q. What did he answer ?—A. He of course promised to do the best he could. Q. Did he improve it ?—A. I don't think so.'

Q. Now, what do you say to that, Mr. Cameron?—A. So far as complaints are concerned, Mr. Pyeatt is telling an untruth; and so far as suggestions are concerned, he made none of them to me. We at that time, as I said before, were up against a hard proposition, and we were doing all we possibly could to get things in shape, and I know that I was working—— ,

Q. Then again I asked him: 'Q. How often did you complain to him about the state of affairs ?' and he said : 'From December 1 until the time he resigned.' Then I asked him : 'How many times do you think during that month ?' He answered : 'I have no idea.' Then I asked him : 'A dozen times ?' And he said : 'A great many more than that.' Now, how about that ?—A. Mr. Pyeatt spoke to me very little during my term with him as a train master.

Q. Did he make any complaint as to your not disciplining the men under you sufficiently ?—A. He did not.

Q. Did he ever speak to you about the discipline of the road ?—A. Never mentioned a word to me.

Q. Did he ever mention to you about the handling of the cars at the different yards ?—A. On three or four occasions Mr. Pyeatt went to Sarnia, and on his arrival there, he would wire me at St. Thomas to clean up the line. That was all very well; he knew as well as I did that I did not have the power to clean up the line.

Q. That is, the engine power ?—A. The engine power; yet he would wire me to clean the line up. If we had the power it would have been a very easy matter to have cleaned the line up; that would be no trouble whatever, but at that time we were waiting for engine power at our St. Thomas and Walkerville shops, hours, sometimes days, before we would ever get any.

Q. What yards were there that were complained about more particularly or congested more particularly ?—A. The only congestion that we had last fall was at Chatham and Wallaceburg with sugar beet cars. Every fall since the sugar beet industry has located on the Lake Erie line we experienced some kind of a block with sugar beets from the fact that our connections—the Michigan Central, the Grand Trunk, the C. P. R. and the Wabash—perhaps in one day would give us 100 or 150 cars, bunch them to us, and in that way would cause a block. Other reasons are that the sugar beet people would at times be unable to unload the number of cars that we would expect them to. We would run the cars into Wallaceburg, where we did not have one-half the room to hold cars, to store them, and in that way, it would cause a block in our yards.

Q. What would you do in order to relieve the block?—A. Every train that we could put cars on to we did so. In order to relieve Chatham yard we would send cars to points between Chatham and Wallaceburg to store them in the side tracks in order to get them out of Chatham, get them away from there, make room for them. The cars then would remain until the Wallaceburg sugar people were in shape to take them, although I might say they always were very good in doing their share of the unloading, in helping the railroad company out.

Q. Your head office was at St. Thomas?—A. Yes.

Q. Is that where you looked after the whole district?—A. Yes.

Q. Did you remain in St. Thomas all the time?—A. No, sir. Well, my duties would take me out on the road a good deal.

Q. For how long at a time?—A. Sometimes for one, two, three or four days, and perhaps then I would return to the office for a day or two, and out again.

Q. During those returns would you see Mr. Pyeatt at the office?—A. Not always. Last December, about the 6th of the month, Mr. Pyeatt wrote me to go to Wallaceburg to give my personal attention to the handling of sugar beets. I spent about 9 or 10 days there. You will understand from that, your honour, that while I was closed up in Wallaceburg giving my whole attention to the handling of sugar beets, according to Mr. Pyeatt's instructions, I was unable to look after my trains on the road in general. After Mr. Pyeatt took charge, even on the 1st of December or the 28th of November, up to the time he asked me for my resignation, which was on the 22nd day of December, deducting the 9 or 10 days from that that I was at Wallaceburg, would not leave me much time.

Q. There would not be much time to look after the road?—A. To look after the road and get after trains as I would like to have.

Q. Could another official have done the duties at Wallaceburg quite as well as you?—A. Well, we had no other official that could have been sent there, although a man could have been sent there to have performed those duties. It was a matter of seeing that the cars were handled properly. Of course, as far as Wallaceburg is concerned, on my own account I would certainly have paid them a visit; I would not have remained there 9 or 10 days straight if it had been left to me. I would perhaps have gone to Wallaceburg to-day, remained a day and get things in as good shape as I possibly could and trip off there to-morrow night perhaps or the morning afterwards and put in three or four hours and dodge around here and there. My way of working was to cover as much of the ground as I possibly could during the day, using every train possible.

Q. But Mr. Pyeatt's instructions were urgent, that you were to remain there for how long—for all the time that you were working?—A. He asked me to remain there until the sugar beet season was over with.

Q. Did he know how long that would continue?—A. He knew it would be something like two or three weeks. If I had remained at Wallaceburg until the end of the sugar beet season a letter from Mr. Pyeatt no doubt would have been sent to me at Wallaceburg asking for my resignation.

Q. What letter do you refer to now?—A. On the 22nd December I was out on the line. I went from St. Thomas to Walkerville, Walkerville to Chatham; it was then my intention to go from Chatham to Sarnia. About 30 minutes before the Sarnia train arrived I received a telegram from Mr. Pyeatt at St. Thomas advising me to come to St. Thomas to-night. I went to St. Thomas. On my arrival there I found a letter on my desk marked 'personal.' I opened it; it was from Mr. Pyeatt. He said: 'I believe the discipline of this division requires a change in train masters. Please let me have your resignation, to take effect January 1st, 1905.' At that time Mr. Pyeatt, Mr. Cain and Mr. Gilhula were in Mr. Pyeatt's office. I started to go to see Mr. Pyeatt. When I found that he was engaged I made up my mind I would wait longer to ask him what his message had reference to. I thought perhaps he wanted to see me about something else, although I had a very good idea why he called me in. But while I waited, the three of them had left there shortly after that, so that I had no chance to talk to him that night.

Q. Where is that letter?—A. I destroyed that letter. I did not think it was of any use to keep it and I destroyed it.

Q. At any rate you have given us the contents?—A. That was the contents of the letter, I think, word for word.

Q. Then when did you see Mr. Pyeatt after that?—A. This was on a Thursday night. Mr. Pyeatt was away from the office on Friday and Saturday. I took a walk down to the office on Sunday morning and saw Mr. Pyeatt. My first remark was: 'Well, I am out of it,' and he said: 'Have you anything in sight.' I said: 'The time has been very short for me to find something in sight.' He says: 'Well, I am sorry.' I says: 'Yes, perhaps.' I then said to him: 'Mr. Pyeatt, for my own information, out-

side of the contents of your letter to me that the discipline of the division requires a change, were my services satisfactory. I would like to know.' He says: 'Well, so far as I know they were; of course I have not known you a great while, but from what I understand your services have been.' Then I said: 'Your only reason for asking me to resign is that the discipline of the division requires a change? That I have not been hard enough after the men?' He says: 'No, you have not.' I said: 'I thought I had got after the men as hard as I felt proper; I have always been able to get good work out of my men at all times.'

Q. Had he before that complained to you that you were not hard enough on the men?—A. No, your honour, he did not; he never mentioned discipline.

Q. Did he suggest how you could become harder on the men than you were?—A. No, your honour, he did not.

Q. Had you any other conversation with Mr. Pyeatt subsequent to that date about your resignation?—A. Nothing whatever. That was the very first intimation I had when I opened the letter and read it.

Q. And he gave you no other reason for demanding your resignation?—A. Nothing whatever.

Q. What did you do upon receiving that letter and hearing that conversation?—A. Well, it always being my duty to carry out the instructions of my superior officer. I wrote out my resignation on the following day.

Q. Instead of consulting a lawyer?—A. Instead of consulting a lawyer. He asked me to write out my resignation, and I wrote it out.

Q. And you left there?—A. I left there. I was through there on the last day of December.

Q. So you had a little more than a week's notice of dismissal?—A. Yes.

Q. Was Mr. Cain there at that time?—A. I believe he arrived there that day.

Q. On December 22?—A. On December 22. He was there on December 22 because I saw the man myself.

Q. Had he been there before that?—A. Mr. Cain told me himself that he was in St. Thomas on November 29.

Q. What doing there?—A. He told me that Mr. Pyeatt had sent for him and he came to St. Thomas to look over the ground. While he was there he took sick, and he took a heavy cold, and he returned to St. Louis, and according to Mr. Cain's own words to me, that while he was in St. Louis, sick, Mr. Pyeatt had written to him six or seven times asking him why he had not replied to him, and saying that he was waiting for him to come. Mr. Cain further told me that before Mr. Pyeatt ever knew me or saw me or knew who I was, he made an arrangement with Mr. Cain to be his trainmaster when he was appointed superintendent of the Buffalo division of the Père Marquette Railroad.

Q. When did Mr. Cain tell you this?—A. Mr. Cain told me that on Sunday, the 25th day, last Christmas day, in his own office.

Q. How did he come to give you such a confidential chat as that?—A. He no doubt spoke of it perhaps unconsciously, but when we first met, he said that he was sorry to see me thrown out of a position, and the conversation commenced in this way:—'Oh, well, he says, us railroad fellows, you know, are up against these things sometimes, and we must expect them; I have been up against it two or three times; is this your first?' says he. I says, 'yes, this is my first.' And then he spoke to me in the way I have already mentioned.

Q. You hope it will be your last?—A. I hope so, your honour.

Q. Was Mr. Gilhula there at that time?—A. He was.

Q. He was in charge of the despatchers?—A. Yes, he was in charge of the despatchers. I might say that after receiving Mr. Pyeatt's letter on December 22, about half past ten at night, or at least the following morning about eight or half-past eight, I saw a circular announcing my resignation, and that Mr. Cain had been appointed on the above date, which was December 22.

Q. Have you got that circular?—A. I have.

(Circular produced as follows.)

'PERE MARQUETTE RAILROAD COMPANY—BUFFALO DIVISION.'

St. Thomas, December 22, 1904.

Circular No. 1.

Effective this date, Mr. E. E. Cain is appointed trainmaster, vice Mr. K. R. Cameron, resigned.

Office at St. Thomas.

J. S. PYEATT,
Superintendent.

Approved:
W. D. Trump,
General Superintendent.'

Therefore on that day there would be two trainmasters.

Q. I suppose there was no collision then, the only man that got hurt was yourself?—A. I was the only one. That was already printed and distributed before I knew anything about it.

Q. That was distributed before you received the demand for your resignation?—A. It would have been.

Q. This is marked Circular No. 1. This is his starting circular?—A. That is the commencing number. I noticed that when I received it, that I was No. 1 on the list.

Q. This had been printed before you found the letter asking for your resignation?—A. It must have been.

Q. Because you received your letter when?—A. On the night of the 22nd, and that circular was distributed the following morning. It was out, distributed among the employees.

Q. And when did you resign?—A. On the 23rd day——

Q. So that your resignation was not in at the time this circular was being distributed?—A. No, it was not.

Q. Mr. Trump lives at Detroit?—A. Yes.

Q. So that if he signed this he must have signed it before you got your letter demanding your resignation?—A. He must have. He must have approved of it before that.

Q. They paid you your salary up to the end of that month?—A. Up to the end of December, and they paid me half a month extra. I asked for a month's salary in advance. They refused that. I wrote them the second time, stating that I thought I would be entitled to it, that I considered that I was discharged. They then said that they would not give me the month's salary, but on account of my long services they would gratuitously grant me half a month's salary.

Q. What were you receiving at that time?—A. $125 a month. Mr. Cain, I understand, was appointed at $150 a month; he told me that he was to get $150 a month.

Q. Who was your chief despatcher at that time?—A. Mr. Bailey.

Q. Had he been relieved up to that time?—A. He had been about ten days previous to that time, by Mr. Woollatt.

Q. That is for sufficient cause?—A. For sufficient cause.

Q. And who took his place?—A. Mr. Arnum.

Q. How long had Mr. Arnum been engaged on the road before being appointed chief despatcher?—A. He came to us three and a half or four years ago, I am not just certain about the date, but during his term he had relieved the chief despatcher on several occasions for holidays, for instance, and cases of sickness.

Q. How did you find him as to his qualifications?—A. His qualifications were all right.

Q. Satisfactory?—A. Very satisfactory.

Q. No complaints?—A. No complaints whatever.

Q. And he had been attending to the duties during all this difficult time?—A. During the difficult time.

Q. And gave satisfaction?—A. And gave satisfaction.

Q. Who were under him as trick despatchers?—A. Despatcher Black was the first trick despatcher, despatcher Kirkpatrick was the second, and despatcher Knight was the third.

Q. How long had they been on the road?—A. Despatcher Black had been with us about three years and a half, despatcher Kirkpatrick about two years, and despatcher Knight came to us somewhere about three years ago.

Q. What satisfaction did they give you as despatchers?—A. They gave us very good satisfaction.

Q. And they were on the road while those difficulties you have mentioned had to be contended with?—A. Yes.

Q. And Mr. Arnum resigned his position as chief despatcher after Mr. Gilhula came, or was it before Mr. Gilhula came?—A. I don't know that Mr. Arnum sent in a resignation or not, but I know that the way things were at that time he had got pretty well discouraged about not being able to get engine power to move our trains. In fact we were all very much discouraged at that time, because we could not get power, because of enough power was forthcoming we knew we would have been in pretty good shape, and in order to keep things going we were all working very late both during the day and night.

Q. Do you remember Mr. Gilhula's appointment?—A. When I returned to St. Thomas, on December 22, I saw a circular issued by Mr. Cain as trainmaster on that very same day, December 22, advising that Mr. Gilhula had been that very same day appointed chief train despatcher.

Q. Was Mr. Arnum still chief despatcher?—A. Mr. Arnum then had reduced himself to a train despatcher.

Q. Before that?—A. That very same day.

Q. And was Mr. Gilhula on the spot that very same day?—A. Mr. Gilhula was that day at work.

Q. And Mr. Arnum reduced himself to train despatcher from chief that same day?—A. That same day.

Q. Do you know what induced him to reduce his position?—A. Well, he had spoken to me several times that on account of the shortness of engine power he felt so discouraged to think that he would be expected to keep up his end of the work, with nothing to work with, and he felt that it was too hard on him, and that he would be far better off to take a position as a train despatcher and have regular hours. The hours that he was putting in at that time were simply killing him; that is what it would have done in a very short time.

Q. He would have followed Mr. Woollatt?—A. He certainly would, I think.

Q. Nervous prostration would have had its effect upon him?—A. It would, certainly.

Q. After Mr. Gilhula was appointed, did he continue doing the same duties that Mr. Arnum had been doing as chief despatcher?—A. Well, I believe he did. Of course you will understand at that time I was out of it. Although I was given until the 1st to resign, Mr. Cain took charge on that very same day.

Q. There could not be two train masters?—A. No. But while I was around the office for two or three days straightening up things and getting them in shape for Mr. Cain as best I could, I observed that Mr. Gilhula was acting as train despatcher. I might further say that my second intimation on the night of the 22nd was a circular from Mr. Cain as train master appointing Mr. Gilhula as chief despatcher.

Q. Is that circular No. 2?—A. I don't think that had a number on it at all.

Q. The train master's circulars are without number?—A. Well, I used to use numbers, and I don't think this one had a number. It might have been number one, perhaps it was. He would have his own numbers, and the superintendent would have his.

Q. This would have been a special circular, maybe?—A. It might have been.

Q. It has been stated in evidence by one or two despatchers that Mr. Gilhula transferred some of the duties that the chief despatcher had been performing, and re-

quired the train despatchers to do them so as to relieve himself; how is that ?—A. Well, as I said before, I was not in their employ then; I observed while in the office that Mr. Gilhula was handing over extra work to the despatchers to attend to that in my opinion should have been attended to by himself, and during our term we always considered it was the chief despatcher's duty, and he always did look after it. For instance, if a car would break down on the road, instead of Mr. Gilhula getting to work and writing out a message instructing what to do in connection with this crippled car, he would simply stand in front of the despatcher while he was working with his trains and say to him verbally, do so and so and so. I didn't think myself that that was correct, although I spoke of it to nobody because it was none of my business, but I could not help but notice it. I considered that was putting too much work altogether on the despatchers. They have enough to do to keep their whole minds on the running of their trains.

Q. And the chief's duty is to look after such accidents ?—A. That is his duty. If he went a little further perhaps the despatcher would be doing more than half the chief's duty.

Q. Who was the storekeeper in your day ?—A. In my day, A. T. Knechtel was the storekeeper in Walkerville.

Q. When did he resign ?—A. He resigned, I believe, some time last spring, about a year ago.

Q. Do you know why he resigned ?—A. I do not. I did hear that he was getting pretty much worried over the work, that there was a man named Colon sent over there and that Colon at times was making it pretty hot for him; this man Colon came from Detroit.

Q. He was an American, was he ?—A. He was an American citizen, I understood.

Q. Colon, however, disappeared ?—A. He disappeared and I heard afterwards that he went to Saginaw.

Q. And he was followed by Mr. Hunker ?—A. Well, I did not hear. I might say that at the time that Mr. Knechtel had charge, the stores department was located at Walkerville. Then they removed the stores department to St. Thomas, and they were taken charge of by some man from Saginaw who skipped out very shortly afterwards; he had a very peculiar name, and I don't remember it.

Q. The man from Saginaw skipped out ?—A. The man that came from Saginaw. I understood he came from Saginaw to St. Thomas.

Q. That was not Mr. Colon ?—A. It was after Mr. Colon.

Q. After Mr. Colon resigned or was transferred, another American came from Saginaw to St. Thomas, and he skipped out ?—A. And he skipped out.

Q. And this Mr. Hunker relieved him ?—A. This Mr. Hunker was appointed after him. I never heard the name before.

Q. Do you know whether Mr. Arnum was capable of performing the work of chief despatcher as it is being done by Mr. Gilhula now, or when you were there ?—A. According to my experience with the same work, Mr. Arnum at all times gave every satisfaction.

Q. Do you know Mr. Tillson, the agent at Chatham ?—A. I do, very well.

Q. How long had he been there ?—A. He had been at Chatham about six years. I am not sure as to that date at all.

Q. What were his duties there ?—A. He was the agent at Chatham. Previous to that he was general agent at the same point. In acting as general agent he had charge of the sheds, that is, the whole of Chatham including all departments, so that it was found that the work there was too much for one man to take charge of, and it was split, a foreman taking charge of the mechanical and the agent then taking charge of the traffic. Then from that time he has acted as agent at that point.

Q. How did he perform his duties ?—A. Very satisfactory.

Q. Was he capable ?—A. I believe he was.

Q. Did you come in contact with him very much ?—A. Very often.

Q. Was he under you ?—. Well, not directly. He was directly under the superintendent, although I had a great deal of business to transact with him.

Q. Mr. Cain says : 'Mr. Tillson's work had not been satisfactory; we have been complaining to him a good deal, in a nice way. Tillson was well acquainted there and had a good many friends, and I did not want to remove him, but we wanted him to get along, but he did not have hustle or push about him, that was the only thing. We realized he was well acquainted there, and we wanted him to get out and get the business. He was not getting the business. Tillson was not a very aggressive man, in other words.' What do you say as to that ?—A. I can say that so far as hustle and bustle is concerned, that Mr. Cain speaks of, Mr. Tillson had been spoken of on several occasions; he always has certainly been lively enough.

Q. He has been the hustler of Chatham ?—A. He has been the hustler both at Chatham and elsewhere on the line.

Q. You think that was uncalled for, for Mr. Cain to make any such statement about Mr. Tillson ?—A. I certainly do.

Q. Did you know Mr. Bartlett ?—A. I did.

Q. What position did he first occupy ?—A. When he first came to Walkerville, being at that time an employee of the old Erie and Huron, he came to us, being transferred with the Erie and Huron. At that time he was a machinist in the shop. Some four or five years later on he was appointed foreman of the machine shop, and shortly after that he was appointed foreman for both machine shop and the mechanical department as a whole—for the whole mechanical department at Walkerville.

Q. When did he leave the service of the Père Marquette ?—A. As near as I can remember he left about a year ago. I had heard from different people that matters were made pretty warm for him; that Mr. Christie, who was at that time master mechanic at Saginaw, had made it very disagreeable for Mr. Bartlett, and that he decided to get out and go west.

Q. And he went out and went west about a year ago ?—A. I heard that he did.

Q. That would be before this new management took charge ?—A. Yes.

Q. When the old officials were still there ?—A. The old officials were still over the new management in Canada.

Q. Although I think Mr. Christie is not the master mechanic now ?—A. No, I did hear that a Mr. Kellogg had been appointed. Mr. Christie, I understand, is his assistant.

Q. Did any complaint come from any source at all as to your work on the road after the American management had taken charge of this Canadian system?—A. I never heard any.

Q. Did any of the management commend your work ?—A. Yes, your honour. Mr. Trump, who is now general superintendent, and at the time that I am about to mention he was assistant general superintendent, it was some time in October last, we were running at that time fast beef trains from Chicago to the Bridge and Buffalo, via Detroit, and the management decided to divert the freight via Port Huron, give it a trial, see what kind of a run we could make. During the time since the Père Marquette took hold of the Lake Erie, Mr. Trump has spent a great deal of time on our division, so that he knew it pretty well. Well, the first two trains that came to us I was wired to by Mr. Trump to meet him at Sarnia. He left Sarnia on the Suspension Bridge beef train, and he told me to leave on the Black Rock beef train, which would be about an hour behind him—that is, both of us would be on hand on each train to see that everything would be all right. We made very good runs, and he waited for me at St. Thomas that night, it was somewhere around midnight, and he told me that he had no criticism whatever, that every thing was going along very well on this division, and he advised me to keep things going in good shape. He says 'Keep after it, and keep things going, and everything will be all right.' I felt very much encouraged, and I remembered that.

Q. When was that?—A. This was some time the latter part of September or the first part of October last year.,

Q. After leaving the service in December last what have you been doing?—A. When I found that I was to be relieved I made up my mind that I would take a good holiday. I felt that I was entitled to one; I had only had one holiday in eight years, that was three years ago, and I made up my mind that I would take at least two months' holidays in Toronto, this being my home, and at the same time I would get out of the heavy winter work on the railroad. I had my troubles a year ago this last winter, so I felt pleased, in a way, to know that I would get out of this last winter's troubles. I remained here until the 11th of April last, then I went west to the C.P.R. and engaged with them as an operator.

Q. You are now with the C.P.R. as operator?—A. With the C.P.R. as operator, doing relief work between Fort William and Winnipeg.

Q. At what salary?—A. At $60 a month.

Q. So that you are reduced from $125 to less than half that?—A. From $125 to $60. I might say that the monthly salary is $55, then what makes the $60 is overtime on Sundays. Getting overtime makes it $60.

Q. So that it has been rather a severe punishment to you because you were a Canadian?—A. It has. It is quite a big drop, but I made up my mind that I would have to buckle right down and start over again.

Q. Is there anything else you would like to say?—A. I can say that Mr. Gilhula, the chief despatcher, when talking with me a day or two after the appointment, mentioned that he had been spoken to some time. 'In fact,' he said, I knew a long time ago that I was coming over here. I knew some time ago that I was coming over here.'

Q. Do you think he was telling the truth when he was telling you that?—A. That he knew some time ago that he was coming over? Oh, I believe he did.

Q. He was telling you that at any rate?—A. He was telling me that, that he knew some time previous to that that he was coming over as chief train despatcher.

Q. Had you anyhing to do with Miss Maclean as stenographer?—A. Yes. I had her in my office at Ridgetown for 3 or 4 months.

Q. Was she a capable stenographer?—A. Well, she came to me as a little girl and just started as a stenographer, but she turned out to be a very bright girl and a good stenographer.

Q. Gave satisfaction after a little work and experience?—A. She did, gave very good satisfaction and I was sorry to lose her.

By Mr. Jeffrey:

Q. To what extent did the change of management increase the number of cars to be handled—from the local to the through business; how much heavier was it?—A. Well, when the through business started with us——

Q. Under the local what did it amount to, the average handling?—A. We would handle about three hundred cars a day, and that would be a very good average local business.

Q. That was all you had before the through business?—A. Yes.

Q. Then when the first through business came?—A. When the through business first opened up we were getting about 18, 20, 25 cars a day at Sarnia. Very shortly after the first week it increased to 75, then to 100, then 125, 150; it increased very rapidly. The time was not long between. During that time of course we still had the facilities for handling local work only.

Q. Up to the time you left?—A. Up to the time I left we were still handicapped in a great many ways for the want of side tracks and power.

Q. Did you handle about the same quantity?—A. We had some additional side-tracks.

Q. But the same quantity of cars to handle?—A. They had increased still further, until the last year we made a connection at Windsor at Walkerville junction with the C.P.R. and we got several cars there, so that we were handling cars east and west between Sarnia and St. Thomas and Walkerville Junction and St. Thomas by the C.P.R. at Windsor; so that we were handling all kinds of cars in connection with the through

business. But I might say, to explain the siding situation during our time, that on several occasions we would have two 40-car trains to pass one another on a 26-car and a 28-car siding, and on several occasions the conductor of a 40-car train would have to cut his train in three pieces in order to make a passage.

Cross-examined by Mr. Cassels.

Q. You stated that at the time the road was taken over by the Père Marquette it was in a satisfactory state?—A. It was so far as local business was concerned.

Q. Then when was it that things first became unsatisfactory, and that you first found you could not handle the amount of business there was to be handled?—A. We always handled the amount of business there was to be handled, but we first felt the pinch when the cars began to come to us, the through cars, a little heavy, as I say, on account of not sufficient track room. But the company started shortly after that time to put in additional side track room. So far as the division between Sarnia and St. Thomas is concerned we were fairly well fixed, but since the great number of the through cars commenced to come to us via Windsor and the Canadian Pacific Railway we were not in any kind of shape on that Walkerville branch to handle through business, as we were on the other. No sidings were extended there or no new side tracks were put in on that Walkerville branch until about the middle of last December. I believe they were put in operation in January or the beginning of February after I left.

Q. So that from January, 1902, when the company was taken over by the Père Marquette, until the time you left, things were not in a satisfactory state?—A. I don't say so.

Q. I understood that was what you said.—A. No, we were handling our stuff very satisfactory up until last fall, when we were in such bad shape, up until the middle of the summer. So far as power was concerned we were at times in a bad fix for it, but nothing to compare with last fall. You understand all during the summer months our Mr. Woolatt, who was at that time superintendent, was doing everything that he possibly could to get extra power and extra side tracks, but he could not get them.

Q. Was the business in the fall much greater than it had been in the summer?—A. The business did increase quite a bit. It had increased a lot from the fact that we were working two ends that is Walkerville to Windsor and the Sarnia and Port Huron in both directions, that is, both east and west, north and south.

Q. You admit, then, that owing to the lack of water and lack of motive power, and also the lack of proper sidings, that the business could not be properly handled last fall?—A. It could not at that time.

Q. Do you think that it could have been any better handled by anybody else than by you?—A. I don't think so. I might say that Mr. Pyeatt and Mr. Cain and Mr. Gilhula admitted to me that we were up against the hardest proposition they ever saw, and that they wondered—Mr. Cain himself particularly wondered—that we ever got along nearly as well as we did; and a good railroad man would have seen for himself the condition of affairs.

Q. As to these delays in getting cars through Chatham, what was the cause of that?—A. That was strictly a matter of no power to handle our cars, then we absolutely could not get the power.

Q. Were those delays occasioned any other place besides Chatham?—A. That was during the sugar beet season. We had cars stored at Chatham and we had some cars at Sarnia, but so far as Sarnia was concerned it was no block, as we would call it. We knew the cars were there, but we simply couldn't handle them.

Q. What about Blenheim?—A. There were cars at Blenheim. There were lots of cars at Blenheim that could not be handled simply for the want of engine power. At Rondeau we were loading coal and were bringing up some forty or fifty cars every night, and we did not have the engines to send to them. On occasions we have sent engines out to make a clean-up, and before they would get out ten miles on the line they would die and we would have to bring them in.

Q. Under the circumstances you think that you handled the work as well as it could have been handled?—A. I think that I did.

Q. I suppose there might be room for two opinions as to that?—A. Well, there might be, but from my experience in handling business on the old Lake Erie and Detroit River for pretty near twelve years, I think that I am in a good position to say how things should be handled.

Q. That was a different class of business, though, was it not?—A. A different class of business, but I have had experience with the through business for the last three years and have grown with it. I did not come to the road at that time a stranger; I grew up with this through business.

Q. Still it is conceivable that others might not think the work was well handled?—A. As far as opinions are concerned, I cannot say as to that. A man has the privilege of forming his own opinion, but I can say this, that so far as the through business is concerned on the Père Marquette it is no trouble to handle it provided we have the necessary facilities for doing so.

Q. Then as for the want of discipline in your division, which was referred to by Mr. Pyeatt as the cause of your being asked for your resignation, had you heard that mentioned at all prior to the receipt of that letter?—A. I had not heard a word.

Q. It might be, I suppose, that Mr. Pyeatt for some time had been dissatisfied with the condition of the discipline of the men?—A. Do I think he might have been?

Q. Yes. Without going to you and making a complaint?—A. Well, I think it would have been only right and proper for the superintendent of a company to have told his trainmaster of it if he thought so.

Q. And you had no intimation of it at all?—A. No intimation whatever; in fact, as I mentioned before, Mr. Pyeatt talked with me but very little. I observed in the office, although I was not in the employ of the company, he was handing the business over to the despatchers, but I did not think that the despatchers ought to have been given it at all.

Q. I suppose it was for Mr. Gilhula to decide?—A. He had charge of the office; I did not interfere with him at all. But I mentioned that that was not our way of doing business—going to despatchers verbally and telling them to do so and so, and running the chance of getting them muddled up. May I speak again of a point that has just come to my mind?

The Commissioner.—Certainly.

Witness.—In talking about Mr. Pyeatt, he admitted to me that Mr. Cain was a personal friend of his, and that he understood his way of working, and Mr. Cain understood his method of working, so that in that way he desired to have him come over here as a trainmaster for himself.

By the Commissioner:

Q. Mr. Cameron, as an old railroad man, and with a knowledge of the qualifications necessary for the different positions on a railroad, from superintendent, trainmaster and chief despatcher, right down to car-cleaner, are Canadians to be found to do the same work equally as well as Americans?—A. I feel satisfied they can, just as good.

Q. Just as good as Americans for each and every one of those positions?—A. For each and every position just as good men here for that work as over there.

Lewis E. Tillson, sworn, examined.

By the Commissioner:

Q. You were engaged on the old Lake Erie & Detroit River Railway as agent at Chatham, I understand?—A. Yes.

Q. General agent at first?—A. As general agent, yes.

Q. Then you continued on after the Père Marquette took control of that system?—A. Well, about a year previous to the Père Marquette taking hold, I recommended that

the mechanical department be put under a foreman to take the duties of that department off me, as I had plenty of other work to do, and Mr. Woollatt did so; and then when Mr. Pyeatt took hold, he came to Chatham, and not getting certain questions answered, he told me personally that he would put me back over the mechanical department again, which he did.

Q. You have heard some evidence to-day, and there was a good deal of evidence given at St. Thomas, about the congested state of the yards at Chatham and Blenheim and along there. Can you give me any information with reference to the congestion?—A. Well, under the normal conditions, Chatham can hold about 100 cars. Those are given to us from different sources. The Canadian Pacific Railway may hand us 10, 15 or 20 cars a day, including wheat, lumber and other products for the local mills which are situated on our tracks, for switching. We bring in from Sarnia anywhere from 5 to 20 cars of oil, which we hand to the Canadian Pacific Railway. The Grand Trunk hand us from 15 to 30 cars of wheat and other products for delivery to the local mills at other points out along the line. If those cars are not handled promptly, that is moved every day, we get congested.

Q. What was the difference between the handling of the cars prior to Mr. Pyeatt's régime, and subsequent to that?—A. Well, under the old management, and under the local conditions before we were handling through business, we had power sufficient to get our local trains out of Chatham daily, and get these cars back and forth between the transfers and the sidings, and also get them north, east and west.

Q. Has there been a superior method adopted since Mr. Cain's appointment, over what had been in existence previous to that?—A. Well, Mr. Cain simply had to get power somewhere or else he could not run the road.

Q. His method is better in consequence of having the power given to him?—A. He had more power given to him.

Q. And that is the only thing that made the conditions better?—A. Well, Mr. Cain was given more authority. In fact from my own observations Mr. Pyeatt says, 'Do as you please,' almost. From his actions I should judge that was his authority to Mr. Cain. In fact from my knowledge I think Mr. Cain is an operating man, even more so than Mr. Pyeatt.

Q. Mr. Pyeatt is an office man, with a knowledge of everything?—A. Well, on paper.

Q. When did you resign your position?—A. On the 3rd of April this year.

Q. What led up to that resignation?—A. During December and January, during the blockade, I could not keep the yard clear, and I told Mr. Pyeatt that I would have to have a better yard conductor, and that the only available man I knew—in fact a man that had handled Chatham yard for some years under the Erie & Huron and Lake Erie—was named Winegarden. He was then handling the sugar beet trains between Chatham and Wallaceburg, and it was just about to be wound up, the business had just about been completed. I spoke to Winegarden, and he told me that he did not propose to go into the yard and take yard wages at $2.20 when he could make $3 a day on the road; so I told Mr. Pyeatt what he said, and I recommended that he be given the road wages; that the extra blockade was costing us ten times that amount per diem in delays, loss of business. He said, 'Very well, you may put him on for a short time.' I did so, and in order to assist me, as with the heavy work he would have to do considerable head work as well as switching, I gave him a second man.

Q. Who had you there before?—A. Well, I had had some half dozen.

Q. Who was in the yard looking after that special work?—A. Well, just previous to Winegarden I got a man from the Grand Trunk, the name of George Clements, and he was in charge of the engine; but my opinion is that a switchman has got to be a born switchman—I guess there is only one man in ten that can switch; he has got to plan his work in his head, and plan his yard in his head, and before he goes at his work know how he is going to do it.

Q. Was he the only man you had to assist you?—A. No, I had Joe Winegarden,

a brother of Hiram's, but he would not stay there. I had several brakemen, but just took them as I could get them. I never got a man to work there, only a few days.

Q. Have you a man named Mahon?—A. Yes, he was braking with Mr. Winegarden on the sugar beet train, and I had him acting as yard conductor for a few days, relieving Winegarden, who was sick. He is now the present yard conductor.

Q. Then you had Winegarden, Mahon and Clements?—A. Yes.

Q. Was it necessary to have three men at that time?—A. It was during the heaviest blockade.

Q. Did you consult Mr. Cain as to the appointment of those three men?—A. I wrote Mr. Pyeatt. My communications were always with Mr. Pyeatt.

Q. You were under Mr. Pyeatt, not Mr. Cain?—A. Well, a trainmaster's orders are all obeyed by agents and operators. Any order that was issued by Mr. Cain I would take the same notice of as I would by Mr. Pyeatt; but anything that affects the spending of money is always taken up with the superintendent.

Q. Then what did you write to Mr. Pyeatt?—A. I wrote him that I would have to have Mr. Winegarden, and that it would be necessary to pay him equal to road wages, and he stated that they could not see their way clear to pay that wages, and he gave me in his letter the first, second and third pay—$2.20, $1.90 and $1.80—if my memory serves me right; I am not certain as to that, though; and Mr. Pyeatt was there through the yard several times during this clean-up. Mr. Cain was there about every other day. He sent Mr. Youngs, the agent at St. Thomas there, who had been assistant trainmaster, and he says, 'Go up and give Tillson a hand,' and one day I had three engines working there for half a day. We simply could not budge. The C.P.R. transfers had about 60 cars—all it would hold; the Grand Trunk transfers had 30; the long siding had 60—I guess the long siding would hold about 90 full; the scale siding about 30 cars. These are storage tracks. The basin siding had about 30 cars. Our shed tracks and team tracks were full. To do anything at all we had to have men and power. Mr. Cain came up there on one occasion, he said 'You get a train together now and I will have a special engine sent from St. Thomas to take it out to-morrow morning. I did so. The engine did not turn up the following morning. In the meantime, current work was piling up; C.P.R. complained, Grand Trunk complaining; could not clear the transfer.

Q. Then, you are just relating this in sequence before your resigning?—A. Well, they blamed me for the blockade.

Q. Then what did you do?—A. I think Mr. Cain came up there one day when there were two men working, after the blockade was over; the third man was taken off, and from a letter that I saw Mr. Pyeatt have before him—which I took to be from Mr. Cain, although I didn't know—Mr. Cain had been complaining about the third man, and Mr. Pyeatt wires me to come to St. Thomas, and asked me by whose authority I had the third man there. I told him, his own—perhaps not directly, but indirectly—and I told him I certainly did not think that he was not aware of the fact that the third man was there. He says, 'Well, you will have to pay his wages.' I told him I was not able to pay employees' wages, but I would think over it; and, talking about other matters, I asked him if he was through with me. He said, 'When you tell me how you are going to pay the wages.' I said, 'Well, I don't know; I will see about it.' So I left. Nothing more was said, and, of course, I was hoping he would forget all about it, until some six weeks elapsed, and he wrote to me.

Q. Have you got the letter that you received from him?—A. Well, I have not the original. You have a copy, I believe.

Q. This is a copy of it?—A. Yes.

'ST. THOMAS, March 23, 1905.

'Mr. L. E. Tillson, Chatham.

'DEAR SIR,—About six weeks ago I advised you that you would have to make good the difference in expense of switching crew at Chatham for January and February.

Up to this time I have not heard from you. Please advise what has been done in connection with same.

'Yours truly,

'J. S. PYEATT,

'*Superintendent.*

Q. You wrote an answer?—A. My reply was as follows:—

'CHATHAM, ONT., March 25, 1905.

'Replying to yours of the 23rd *re* above, I am asking timekeeper for particulars of time, and will advise you later, after giving it my serious attention.'

Upon receipt of the timekeeper's time, I found that the amount come to about $71 or $72, and, of course, I wrote this previous letter to get a litte time. I then secured another job, and I replied to him on April 3, saying:

'I cannot see my way clear to pay this amount, which I figure out to be about $71.25. I, therefore, beg leave to tender my resignation, and would ask you to relieve me as soon as possible, advising when I may expect same.'

Q. Then you received a reply from Mr. Pyeatt?—A. Mr. Pyeatt writes me on April 10, and he says:

'I beg to acknowledge receipt of your letter of April 3, resigning the position of agent at Chatham. I will arrange for your successor just as soon as possible, but in the meantime shall appreciate it if you will continue to look after the work there until appointment is made.'

Of course, he told me personally that he had no man in sight.

Q. Did he appoint any one temporarily?—A. No, he did not, and he had to take the best man he had on the road to take my place.

Q. Who was that?—A. Mr. R. W. Youngs. He was formerly assistant trainmaster and agent at St. Thomas.

Q. Has he been appointed permanently to Chatham?—A. He has.

Q. Who has succeeded him at St. Thomas?—A. His former cashier, Routh.

Q. Has that been a permanent appointment?—A. That has been permanent, too. Mr. Routh was chief clerk under Mr. Clipp, the agent at Suspension Bridge, but he was formerly in St. Thomas.

Q. The Père Marquette line has an agent at Suspension Bridge?—A. Yes.

Q. And he was taken from there to St. Thomas?—A. Yes, but he had been at St. Thomas as chief clerk previous to going to Suspension Bridge.

Q. And who has taken Suspension Bridge?—A. I don't know.

Q. You don't know whether an American has been appointed there or not?—A. Well, I think so, because I have heard of none of our boys going down there.

Q. None of the Canadians have gone there?—A. No.

Q. And there is some one there now?—A. Oh, yes, they will have to have a man.

Q. So that you believe an American has taken the place there?—A. I believe so. I do not know who it was.

Q. Has he increased the remuneration that you were getting to your successor?—A. Well, Mr. Youngs was getting $90 a month at St. Thomas.

Q. And that has been continued on, has it?—A. No, sir, that has been reduced to $70 to Mr. Routh, and Mr. Youngs has been given $90 at Chatham.

Q. His salary has been continued on at Chatham, that he had been receiving at St. Thomas?—A. Yes, sir.

Q. But Mr. Routh, who has taken his place, is only receiving $70?—A. Yes.

Q. The amount that you would get?—A. The amount that I was getting?

Q. Are you quite clear that Mr. Pyeatt consented to give Mr. Winegarden $3 a day for the week?—A. Yes, sir.

Q. And did he do so?—A. Yes.

Q. But he has refused to pay him for longer?—A. After the week, he said, 'You will have to reduce Mr. Winegarden back to yard wages.' In fact, Mr. Cain told me

that Mr. Winegarden would have to take Chatham yard permanent or else go out on the road. You see, at the present time a man gets no promotion from the yard. If you take yard you must take it for good and all, the same as the passenger brakemen. If you take passenger work, why, you must keep it. The promotion comes through road work. If they want a passenger conductor they take the oldest freight conductors, then they do not take the baggage man out of the trains.

Q. Then who was the man that he asked you to pay out of your own pocket?—A. Well, it would be the third man. The youngest man would be Clements.

Q. Have they paid him?—A. Oh, yes, his salary came right along just the same.

Q. They wanted you to reimburse them for that?—A. Reimburse them.

Q. And that you did not feel able to do under the circumstances, or called upon to do?—A. No, because I thought it was a case of grind. I expect that I will get my salary if the pay car comes to-day. I don't know, they may take it out of my pay this month.

Q. You have not received your pay?—A. No, I would get it to-day if I were at home.

Q. What Mr. Cain says about that particular difficulty that you had with him is that you admitted that they had not authorized you to employ that man, and that you made no argument at all in reference to the payment of those men; how is that?—A. There was no chance for argument. I said he did, and he said he didn't, and he said I would have to pay it, and I said I wouldn't. I claim that if a man is put in a position like Chatham, if he is not capable of judging when these things are necessary, he should not be there. If you have got to ask at all times to spend a dollar in emergencies, why you had better get out of the job.

Q. I asked Mr. Cain this question: 'Q. But rather than pay it he resigned?' And his answer was, 'Possibly that was his reason for resigning, but I understood from someone at Chatham that Tillson had resigned to go into the coal business.' Was that the reason you resigned?—A. No, sir, I had no intention of resigning until they intimated to me they wanted me to repay.

Q. You heard me asking Mr. Cameron with reference to your work there, and you heard me reading what Mr. Cain had stated about that—'Tillson's work had not been satisfactory; we had been complaining to him a good deal in a nice way; Tillson was well acquainted there and had a good many friends, and I did not want to lose him, but we wanted him to get along, but he didn't have the hustle or push about him, that was the only thing.' What about that statement?—A. Well, as far as the making money, I made the money, kept the revenue up, increased the earnings; but they wanted me to work night and day, and I suppose go into nervous prostration, and I wouldn't do it.

Q. Did not Cain or Pyeatt make any complaints as to your work being unsatisfactory?—A. Well, just the once, the time he called me to St. Thomas.

Q. That was the time that you mentioned, about asking you to pay this man's wages?—A. Yes, it was simply a matter of congestion, and he said that he wanted me to stay in the yard; and he says, 'I also want you to look after the business, that is, the soliciting.' Chatham is, I suppose, like Toronto, it is competing, and if you get any business you have to go after it. Then he said, 'I don't see a light in your office after six o'clock.' I said, 'I don't work after six o'clock.' He said, 'Well, we do.' Well, I told him I had served my time at that; when I was an operator I had to work 16 hours a day for $35 a month, but I didn't propose to do it any longer.

Q. Was it necessary to remain in the office after six o'clock for the purpose of soliciting business?—A. Well, he wanted me to stay in the yard a good part of the day and be yardmaster, yard conductor; get around town and solicit business the rest of the day; and then go to my office at night and do the office work. I looked after all my correspondence—overs and shorts and claims—and handled all the letters and correspondence through the office.

Q. What were your hours at that time?—A. Well, 8 o'clock to 6. Well, of

course, I had no stated hours. I come and go as I pleased as long as I saw the staff looked after their work. I had quite a large staff.

Q. And you got the business you thought that could be obtained in Chatham?—A. I certainly did. My switching earnings were about $10,000 a year and my balance sheet was $25,000 a year. My revenue inwards and outwards was $1,000 a week, and it was increasing right along, and I did not think I was losing any business.

Q. What you have told me is that the reason for your resigning was their asking you to pay for the services of this man during that time?—A. That is the whole reason that I know of; I don't know of any other reason.

Q. And his services were absolutely necessary under the circumstances?—A. I judged so.

Q. And that is the reason you employed him?—A. That is the reason. At the time I had not the least idea that they were not aware of it, and I believe so yet ; and I believe the letters are on file and could be found in Mr. Pyeatt's own office, where the third man was taken up, although in a railroad we always return; we don't take copies of inward letters, but we return them back with the correspondence, and of course the file stays together. I asked him in his own office, and told him that he would find that letter, and he referred to his chief clerk and he got the file, but he would not let me look at it.

Q. That is all, unless you wish to say anything you desire yourself ?—A. There is nothing. Of course, there is a good deal of Mr. Cameron's evidence that I am personally acquainted with.

Q. That is as to the power?—A. As to everything he said.

Q. You have heard Mr. Cameron's evidence?—A. I was there when Mr. Cameron came there, and I have known Mr. Cameron's services from a boy up, and I can corroborate everything that he said.

Q. You never heard any complaints whatever being made as to the manner of his performing his duties ?—A. None whatever. Mr. Woollatt always considered him a smart trainmaster and despatcher and stenographer, or else he would not have promoted him. We always got along with him first-rate. As to my ability, I was put into Chatham to fill a breach. Previous to my going to Chatham I was travelling freight and passenger agent, and in fact handy man for Mr. Woollatt.

Q. What additional facilities have there been provided since Mr. Pyeatt was appointed on the road?—A. As regards Chatham?

Q. Yes?—A. Well, as soon as we cleared the blockade everything was normal, and things went along nicely, and there was no trouble since—just for that time.

Q. What about siding? Is there sufficient siding?—A. Well, as soon as we cleared our long sidings and crossing sidings we had a place to handle our cars. The cars at Chatham must be handled daily. If we lose our switching engine for 24 hours we have got to double up before the next 24 hours——

Q. And it was for the want of power given to you that the blockade occurred?—A. Well, in fact we have local trains running from Sarnia to Ridgetown, what we called the local way freights. We have another one running from Chatham to Walkerville. These trains are supposed to leave Chatham daily. For days and days they did not run at all, and there is a large transfer from the Canadian Pacific Railway and Grand Trunk to us, merchandise particularly, and it is brought to our sheds and re-handled, marshalled and put in proper shape for the stations as they come along the line, and sent out every morning or every noon as the case may be, when the train goes; and if we don't get those trains out every day we are blocked, and I claim it is the fault of the lack of power. Of course, he blamed me.

Q. In Mr. Cameron's time had you blockades occurring at different times?—A. No, sir, Mr. Cameron always saw that the local trains took care of the work; and right now Mr. Cain has just begun to realize that the locals are the most important trains on the road, and he told me just at the time of this blockade, that he was going to do his very best to get those locals running, and he says, 'I will have them running next week,' and he did so, and there has been no more trouble.

Q. Did he understand the conditions of affairs sufficiently to have prevented this blockade?—A. Well, it took him a week or two to get at it and find out.

Q. And he is now carrying out the principle upon which Mr. Cameron acted?—A. He has gone right back to the old system.

Q. And in consequence of that, blockades are not likely to happen again?—A. Everything is running nicely. For instance, I will give you an instance. Our local ways we make up through way cars, and for the different hauling points—one Walkerville, one Kingsville and one Leamington—and we marshal those cars so that they can be handled best by the train crews. Some days they may not be full, other days they may be. He went out on a train one day himself, and he wired me back saying, 'You are making too many way cars; put it all in one car.' Well, I did so. The train was late that day; they could not handle the cars and could not handle the freight; and I worked it that way for a couple of days, and went back to the old system, and have never heard anything more about it, so I guess he found he had made a mistake.

Q. I think you said that Mr. Cain had jurisdiction over you and the other agents, although you were directly under Mr. Pyeatt?—A. The train master. All agents and operators are under the jurisdiction of the train master, but he does not dismiss any without taking it up with the superintendent first.

Q. Have you had any conversation with Mr. Cain about Mr. Cameron's qualifications?—A. Not particularly about Mr. Cameron, no, but Mr. Cain when he first arrived, of course he visited Chatham several times, very frequently in fact—and speaking about the job as train master he said that Mr. Pyeatt had been after him for some three months, I believe that was the term. He did not want to come at first. Of course I might say on the start off. Mr. Cain and I were quite intimate and friendly of course, and to all appearances we are yet.

Q. He says so; he says at the present time you are friendly with him?—A. Very friendly, but this was only about a week after he came there that he said that he had this place in view for some three months; in fact Mr. Pyeatt had been after him for that length of time to come with him.

Q. Did he mention as to Mr. Pyeatt's policy with reference to the officials?—A. No, nothing was said. Mr. Cameron's name was not mentioned.

Q. Was any general statement made as to what Pyeatt was going to do with the Canadian officials?—A. Well, he said, 'We will have Gilhula here'—Jim, he called him. Of course I knew Mr. Gilhula personally in the old Canada Southern times; we used to work as operators together when he was a boy—and he says, 'They will soon have more Missouri Pacific men here.'

Q. Did he mention as to Mr. Pyeatt's policy as to dismissing Canadians?—A. Well, I took it when he said that, that any vacancies would be filled—there was none to be made, but they would be filled; my inference was from what he said, that it related to the new shop particularly.

Q. That was not quite open at that time?—A. No, the shops had not been opened at that time.

Q. Do you know whether many Americans are in the shops?—A. Personally I don't, but I understand that there are.

Cross-examined by Mr. Cassels.

Q. Do you know of your own knowledge that there are Americans in the shops?—A. Not of my own knowledge, no, I don't. I have never been in the shops personally.

Q. When did Cain make that statement to you?—A. He made that statement about two weeks after his arrival, in our jaunts through the yards, you know.

Q. Do you remember the exact words he used?—A. He says, 'Sam has been after me for two or three months.' Sam, that is Mr. Pyeatt; he calls Pyeatt Sam, and Mr. Pyeatt calls him Everett. 'Halloa, Sam,' and 'Halloa, Everett,' that is their salutation to each other; and he says, 'Sam has been after me for three months.' He was telling me some of his railroad experiences south, that is all.

Q. But as to bringing outside men there?—A. Well, I said, 'How are you getting along.' He said, 'Oh, Jim is there, and we will soon have more Missouri Pacific men;' and I took it that he meant as regards the shop men.

Q. He didn't say that?—A. He didn't say shop, but there were no other openings.

Q. To make a long story short, the reason of your resigning was that you were not satisfied to continue in that position on the terms that they wanted to impose?—A. I was not satisfied to pay the wages of employees.

Q. And you were not satisfied to work overtime after six o'clock?—A. Oh, well, that was not an argument in the case at all. My working after six o'clock would not help with the cars.

Q. What I mean is this—they thought that you could run that yard with two men; you thought you could not?—A. That is right. Whether they expected me to be the third man I don't know.

Q. And therefore you decided that you could not continue?—A. Well, the third man was not on only for a short time.

Q. But that was really the reason why you decided to resign, that you were not satisfied to go on on the conditions that they wished to impose?—A. I was not satisfied to work on their mode of handling the business.

Q. And before you resigned had you already made arrangements for some other work?—A. No, sir. As agent of the Père Marquette I was handling the business of the Lake Erie Coal Company, and of course while they are one and the same high up, they separate when it comes to the general managers; and to get the Lake Erie coal business in Chatham you have got to hustle. I have been getting the best part of that business, and of course you have to spend a quarter once in awhile, and I had been getting the contracts, for which Mr. Leslie allowed me a small commission—Mr. Leslie is the general manager. That is the only outside business, but I expected to keep that on just the same.

Q. Have you kept that on?—A. I have. Since I quit the Père Marquette I have had that contract enlarged a little, and I now hold contracts for every industry in Chatham except one, and they are located on the water.

Q. Did you know before you actually tendered your resignation that you would have that position?—A. Well, I did not work for that position until Mr. Pyeatt wrote and asked me. I thought if I could hold two jobs I would do it, and Mr. Pyeatt objected to my getting commissions, and wanted the commissions to go to the railroad.

Q. Is your position now better or worse financially than it was?—A. Well, it just depends on how much I hustle.

Q. Can you make more out of your present job?—A. Well, I hope so.

Q. So that you really have no kick coming?—A. No, I am not sorry and grieved for getting out of the Père Marquette.

Q. After Mr. Cameron resigned and Mr. Cain was appointed in his place, did you notice any change in the manner of working the road?—A. No, not until more power was given there was no change; in fact things were worse, because the local trains ceased to run.

Q. When was it after that more power was obtained?—A. Well, I cannot give you the dates.

Q. Approximately?—A. Well, I won't say. I know the blockade got moved; about 30 days.

Q. Do you know how much additional power they have? Did they get new engines?—A. Well, they got more engines from the other side.

Q. Do you know how many more?—A. I think they got nine, I am not sure.

Q. You don't know definitely?—A. No.

THE COMMISSIONER—Q. You say the service got worse after Mr. Cameron resigned until they got more power?—A. For a short time, owing to taking those local trains off—as far as I am personally concerned in Chatham, you know; not along the line. Of course the through business might have been as well or better.

THE COMMISSIONER.—Mr. Cameron, do you wish to say anything more?

MR. CAMERON.—Nothing further that I think of.

THE COMMISSIONER.—Unless I hear something further I will send in my report immediately.

Mr. CASSELS.—No further evidence to be taken at present?

THE COMMISSIONER.—No, not that I am aware of.

Adjourned sine die at 12.30 p.m.

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